

1 BROWNING-FERRIS, INC., :
2 Third-Party Plaintiff :
3 vs. :
4 MAYOR AND CITY COUNCIL OF :
5 BALTIMORE, KEWANEE INDUSTRIES, :
6 INC., BEATRICE COMPANIES, :
7 INC., and ALLIED-SIGNAL, INC., :
8 Third-Party Defendants:
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11 Deposition of LOUIS WILLIAM SAUER,
12 continued on Monday, November 4, 1991, at
13 9:30 a.m., at the law offices of Piper & Marbury,
14 36 South Charles Street, Baltimore, Maryland,
15 before Brenda R. Pearson, Notary Public.

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SALOMON REPORTING SERVICE, INC.
Baltimore, Maryland
(410) 539-6760

1 APPEARANCES:

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3

Patricia Kabloch Casano, Esquire,

4

On behalf of the U.S. Department

5

of Justice

6

Pamela D. Marks, Esquire,

7

On behalf of the State of Maryland

8

Andrew S. Goldman, Esquire,

9

On behalf of the Environmental

10

Protection Agency

11

Kim I. Montroll, Esquire,

12

Daniel A. Masur, Esquire,

13

On behalf of the City of Baltimore

14

Samuel I. Gutter, Esquire,

15

On behalf of Defendant AT&T

16

Ronald D. Byrd, Esquire,

17

Colleen A. Lamont, Esquire,

18

On behalf of Defendant BG&E

19

Mark E. Grummer, Esquire,

20

On behalf of Defendant

21

General Motors Corporation

1 APPEARANCES: (Continued)

2

3

William G. Beck, Esquire,

4

On behalf of Defendant

5

Browning-Ferris, Inc.

6

M. Lee Doane, Esquire,

7

On behalf of Defendant

8

Exxon

9

Mark Hausman, Esquire,

10

On behalf of Defendant

11

Kewanee Industries

12

James Stewart, Esquire,

13

On behalf of Defendant

14

Beatrice Company

15

Samuel A. Bleicher, Esquire,

16

On behalf of Defendant

17

Allied-Signal, Inc.

18

Robert Brager, Esquire,

19

On behalf of Defendant

20

Sweetheart Cup

21

1 APPEARANCES: (Continued)

2 Thomas F. Karaba, Esquire,
3 On behalf of Defendant
4 O'Brien Corporation

5 Larry R. Liebesman, Esquire,
6 R. David Joseph, Esquire,
7 On behalf of Defendant
8 H. M. Holdings and
9 Crown Cork & Seal

10 Parker E. Brugge, Esquire,
11 On behalf of Defendant
12 Canton Company of Baltimore

13 Tom Lingan, Esquire,
14 On behalf of Defendant
15 Armco Steel, Inc.

16 Nancy J. Larson, Esquire,
17 On behalf of Defendant
18 Container Corporation

19
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21

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1 LOUIS WILLIAM SAUER,
2 having been previously duly sworn, resumed and
3 testified further as follows:

4 EXAMINATION BY MR. BECK:

5 Q. Mr. Sauer, we are here for the
6 continuation of your deposition. You realize
7 that you are still under oath just as you were
8 before?

9 A. Yes, I was.

10 Q. Have you had occasion at all to ever
11 read any newspaper articles about this
12 environmental site and the drums that were found
13 there?

14 A. No. You mean read the newspaper?

15 Q. Either in the newspaper or anything
16 else, have you read anything about this site that
17 used to be there?

18 A. No, I didn't read the newspaper about
19 any of this site and I was asked the other day, I
20 don't know who it was, but when I was here I was
21 asked something about a man told me about 1,000

1 drums being up there on that piece of ground.

2 Q. My question is did you read about it in
3 the newspaper?

4 A. No. I don't read a newspaper.

5 Q. You did speak by telephone with this
6 gentleman who was an investigator for the EPA,
7 Mr. Baker, is that right?

8 A. Yes, I did.

9 Q. Was that just one time?

10 A. It could have been once. It could have
11 been twice. I don't know.

12 Q. Now, did you also speak to a lawyer
13 from the Gas & Electric Company at one point?

14 A. Yes, I did.

15 Q. Do you remember that conversation?

16 A. Yes, I did.

17 Q. Was that over the telephone or face to
18 face?

19 A. Over the telephone.

20 Q. Can you describe for me what that
21 conversation was, please?

1 A. This lawyer called me up and said she
2 was from Gas & Electric. I said Gas & Electric?
3 She says yeah. She said something about some fly
4 ash being dumped over there and some
5 transformers, I think, in fact. I might be wrong
6 on the transformers, but I know it was something
7 about some fly ash and I said no, I didn't know
8 nothing about that.

9 Q. Okay.

10 A. And whoever the lady was, I don't know
11 if she was from Gas & Electric or what, she was
12 trying to pump me of what I knowed, and I said
13 I'm not going to tell you nothing. I'm not
14 telling you nothing. I don't know who you are
15 and that was it.

16 And she said well, I will get you when
17 I get you to this deposition or whatever you call
18 it, I will get you when I get up there. And I
19 said well, honey, when you get up there? Bang,
20 down went the phone, and that was it.

21 Q. Is that the whole conversation?

1 A. That was it. Now you can get me all
2 you want to get me.

3 Q. Now you also, Mr. Sauer, sat down with
4 Mr. Gully, a lawyer for BFI?

5 A. Yes, I was getting ready to tell you
6 that. It was two lawyers. It was a lady and a
7 man.

8 Q. There was a woman with Mr. Gully?

9 A. Yes, over at BFI where I used to work.

10 Q. And did they ask you questions about
11 this landfill?

12 A. Yes, they did.

13 Q. And did you give them answers?

14 A. Yes, I did.

15 Q. And were the answers that you gave them
16 on that day true to the best of your ability?

17 A. Yes, it was.

18 Q. Who, sir, is Elizabeth Ann Sauer?

19 A. I'm sorry.

20 Q. Elizabeth Sauer?

21 A. That could be my stepmother.

1 Q. Elizabeth Sauer was married to your
2 father?

3 A. Yes.

4 Q. Do you know if she is still living?

5 A. I don't know. Me and her don't get
6 along.

7 Q. The last time you knew, where was she
8 living?

9 A. Down Bowleys Quarters.

10 Q. Is that B-O-W-L-E-Y?

11 A. I guess so. I don't have that good of
12 an education.

13 Q. Do you remember, sir, what street she
14 lived on?

15 A. No, I don't. It's Bowleys Quarters
16 Road, I think.

17 Q. Do you know how old Elizabeth Sauer
18 would be?

19 A. She is up there. She could be 70 or 80
20 years old, somewhere around there I guess,
21 roughly.

1 Q. When did she marry your father?

2 A. I don't remember. That has been a long
3 while ago. I wouldn't know.

4 Q. Was it when you were a teenager?

5 A. Yes.

6 Q. Did Elizabeth Sauer help your father
7 keep track of money matters?

8 A. I think she did. I think she did
9 because I think she took care of his books or
10 something. Now I'm not for sure now. I don't
11 know. It could have been her or her daughters
12 done it, one of the two.

13 It has been a long while ago. I
14 wouldn't know.

15 Q. Was it when you were a teenager?

16 A. Yes.

17 Q. Did Elizabeth Sauer help your father
18 keep track of money matters?

19 A. I think she did. I think she did
20 because I think she took care of his books or
21 something. Now I'm not for sure now. I don't

1 know. It could have been her or her daughters
2 done it, one of the two.

3 Q. What are her daughter's names?

4 A. She had six of them and one was Sharon,
5 Sue, Emma, Marlene. She had four daughters.

6 Q. Do you know a woman named Donna Sauer?

7 A. That couldn't be the youngest one,
8 would it?

9 Q. That is possible. I don't have any
10 identification to give you except the name. I
11 read it on a piece of paper.

12 A. That don't ring a bell with me.

13 Q. What about Ann Sauer?

14 A. Ann Sauer?

15 Q. Yes, sir.

16 A. Anita or Ann.

17 Q. I know about Anita Lippla. Is there an
18 Anita Sauer?

19 A. Well, she would have been a Sauer until
20 she got married.

21 Q. What about an Ann Sauer, do you

1 remember one of those?

2 A. An Ann Sauer, that is my wife, Anna
3 Lee.

4 Q. You have got a wife named Anna Lee?

5 A. Yes.

6 Q. Do you know if she was ever out at the
7 North Point dump?

8 A. No. She come up there to bring me
9 something to eat or something.

10 Q. Sure. When your father ran the
11 salvaging operation, at least for part of that
12 time though he was married to Elizabeth Sauer,
13 your stepmother?

14 A. Yes.

15 Q. And at some point in time, was
16 Elizabeth Sauer appointed the guardian for your
17 father in a probate proceeding?

18 A. So I was told. I don't know. See, me
19 and her don't get along.

20 Q. I understand.

21 I want you to think back, if you can,

1 to when your father ran the salvaging operation.
2 Did he receive a lot of material from Goodwill
3 Industries, do you remember that?

4 A. I think he did have goodwill in there.
5 He used to burn it, I think. He used to burn it
6 and get the metal out of it.

7 Q. Do you remember what kinds of materials
8 he received from Goodwill Industries there?

9 A. Man, I don't know. You are talking 35
10 years ago.

11 Q. Yes, sir.

12 A. What would Goodwill haul, furniture,
13 stuff like that or what?

14 Q. Do you remember. I don't want you to
15 conclude or to guess?

16 A. No, I can't remember that. I tell you
17 the truth, I can't. But that is about all they
18 would have was household stuff or something like
19 that, to the best of me.

20 Q. Let me ask you a question. Before Mr.
21 Baker contacted you --

1 A. Mr. Baker is who?

2 Q. He's the investigator for the EPA who
3 called you up on the phone.

4 A. Yes.

5 Q. Had either your brother Fritz or Mike
6 Cefaloni or John Miller mentioned to you that
7 they had been contacted by the government about
8 this dump?

9 A. No.

10 Q. After Mr. Baker contacted you, did you
11 have any discussions with Mike Cefaloni or John
12 Miller or your brother about this dump?

13 A. No. I did with my brother. I asked
14 him what was going on and he said don't worry
15 about it. You have nothing to do with it. That
16 is just what he told me.

17 Q. Your brother told you don't worry, you
18 don't --

19 A. That is right, don't worry about it,
20 you have nothing to do with it. So that is what
21 I done until the man called me on the telephone.

1 Q. But that conversation you had with your
2 brother was before Mr. Baker called you on the
3 telephone for the EPA?

4 A. No, that was after the man had called
5 me.

6 Q. So did you call up your brother?

7 A. I went down and seen my brother. I
8 said what is going on up there? They are wanting
9 to know a whole lot of questions. He said don't
10 worry about it, you have nothing to do with it.

11 Q. Where did you go see your brother?

12 A. Down at the shore where he lives.

13 Q. Down at the shore?

14 A. Down at Lynhurst Road where he lived.

15 Q. I asked you a question at your last
16 deposition about whether you had had a falling
17 out with your brother and you said you had not
18 but you said that someone else had mentioned that
19 to you and what I would like to know, sir, is who
20 else mentioned to you that they thought you might
21 have had a falling out with your brother?

1 A. I don't know who that was told me
2 that. Asked me what did you and your brother
3 fall out over. I said I never had no falling
4 out.

5 I don't know who it was that asked me
6 that other than you.

7 Q. At your deposition?

8 A. Right. There was no falling out. I
9 just turned around and left where I could make
10 better money when I went with Robb Tyler.

11 Q. Do you remember if your brother had a
12 brother-in-law who went by the name Marlboro? Do
13 you remember that?

14 A. A brother-in-law?

15 Q. Yes, sir, a brother-in-law of Fritz
16 Sauer that went by Marlboro.

17 A. Who was he married to.

18 Q. I'm sorry, I can't help you with that?

19 A. If you can't help me, I can't help you
20 then. Marlboro?

21 Q. That doesn't ring any bells?

1 A. No.

2 Q. Did you ever personally fill in and
3 pick up anything at Crosse & Blackwell instead of
4 John Miller?

5 A. Yes, I did.

6 Q. Do you you know if that is before or
7 after Crosse & Blackwell became part of
8 Nestle's?

9 A. I don't know.

10 Q. You don't remember seeing anything on
11 the building that said Nestle's?

12 A. No, I don't know. I would go there
13 like if John was sick or something like that. I
14 would fill in for a day or two and then continue
15 back on what I was doing.

16 Q. It was his regular route?

17 A. Yes.

18 Q. You don't know anybody who was over at
19 Crosse & Blackwell, do you?

20 A. No.

21 Q. Do you remember what kind of a

1 container they had?

2 A. He used to have a round barrel truck,
3 sort of like a barrel truck. You threwed it in
4 from the front and this thing packed it back.

5 Q. That is a trash compacting truck?

6 A. Yes, a round barrel truck. He used to
7 use over there.

8 Q. Do you know what kind of container they
9 put their waste in to that he filled that up
10 from?

11 A. Have you ever seen a can cart?

12 Q. Yes, sir.

13 A. A can cart that they bring the new
14 cans. They used to roll them years ago in a big
15 square cart on wheels, they brought them in the
16 trailer and they had all the little tin cans
17 piled on them. They used to empty that out and
18 piled all the paper boxes and stuff in there and
19 he would roll it down there and open the doors
20 and throw them in the truck.

21 Q. Were there also some cans on their

1 waste?

2 A. Yes.

3 Q. I want to ask you about a distinction
4 that you drew in your deposition several times
5 and I want to make sure I understand what you
6 mean. People ask you questions about waste and
7 you corrected them and you said no, I haul
8 trash. Do you remember that?

9 A. Yes.

10 Q. What is the difference, in your mind,
11 between trash and waste? What line are you
12 drawing there?

13 A. Trash is something like is in this
14 trash can. I imagine waste would be liquid and
15 roughly in my imagination of what it is. You
16 hear so much about waste, waste, waste. Waste
17 would be like, what, motor oil, gas, diesel or
18 whatever you call it. That would be waste,
19 liquid waste or whatever you call it. But trash
20 is trash.

21 Q. Trash you are talking about solid

1 things, paper, cardboard, wood, glass?

2 A. Yes, that is trash to me.

3 Q. That is the kind of material you
4 hauled?

5 A. Yes, to a certain extent.

6 Q. Yes, sir.

7 A. When I hauled out Western Electric, it
8 was barrels but it was heavy solutions in them
9 like paint solutions in them.

10 Q. Yes, sir.

11 A. I guess nowadays, you see in them days,
12 you are talking 25 years ago, we didn't have all
13 these scientific words you got now. You went and
14 got a load of barrels, you got a load of drums.
15 You took them to the dump and dumped them.

16 Q. Let me get away from the Western
17 Electric plant. Apart from the Western Electric,
18 is the material that you drove trash as opposed
19 to waste?

20 A. We hauled trash and we had barrels.
21 Once a week the truck went in and got barrels.

1 Every day two trucks went and got trash.

2 Q. I want to make sure this is clear to
3 you though. I'm not just talking about Western
4 Electric here. I'm saying except for those
5 barrels out of Western Electric, except for that,
6 is the material that you hauled for the other
7 people and for Western Electric, all the other
8 material trash?

9 A. I can't answer that, because I don't
10 know what was in the container when I picked it
11 up.

12 Q. Was it in a roll-off?

13 A. Yes, roll-off. See they loaded it.

14 Q. Yes, sir.

15 A. Naturally you are familiar with it.
16 I'm going to set you straight. If you go in
17 there and set a container down, here is a guy
18 he's got some barrels or something he wants to
19 get rid of. He's going to sneak them in the
20 bottom of that container. He's going to throw
21 the trash on top of it, right. He's going to

1 slick the trashman.

2 You get to the dump with it. You dump
3 it out. I don't know what he had in there. The
4 dozer man, he's going to run over the top of them
5 and a fire is going to break loose. So you don't
6 know what you have got in that container when you
7 pick it up.

8 Q. So Mr. Sauer, what you're saying is
9 that you, as the hauler, don't really have any
10 control over that do you?

11 A. No, because I don't know what is in
12 that container when you pick it up. You don't
13 know what he's loaded in there. All you do is
14 set an empty down and pick a loaded one up and
15 take it and go.

16 Q. Let me make sure I'm clear on one
17 thing. And I want to stick right now to just the
18 period of time when you worked for Fritz and
19 before you left him and went to work for Robb
20 Tyler, all right?

21 A. Right.

1 Q. During that period of time, did you
2 drive roll-off?

3 A. Yes.

4 Q. And was it a hydraulic as opposed to a
5 cable roll-off?

6 A. Hydraulic, Dinosaur.

7 Q. And what was the largest roll-off box
8 that was capable of pulling?

9 A. That would pull a 30-yarder, 40-yarder.

10 Q. Would it pull a 40?

11 A. Yes, it would pull a 40.

12 Q. That was the largest that was in use at
13 that time period, wasn't it?

14 A. Yes, compactor. It would pull a
15 compactor. It would be up close on a cab, but I
16 could pull it and get it in the lots.

17 Q. So with your rig, you could pull either
18 a compactor or a roll-off box up to 40 yards?

19 A. Right.

20 Q. And that was while you worked for
21 Fritz?

1 think it was Shane Brothers he bought them off of
2 over there in Washington. All he bought them for
3 was mostly the bodies.

4 Q. Now, during that period of time, how
5 would you get the waste from a container up into
6 that dump truck so you could take it to the
7 dump?

8 A. Hand power.

9 Q. And what kind of containers would the
10 trash be in so that you could get it up into the
11 dump truck by hand power?

12 A. Anyway you load it, shovel. It depends
13 on whatever you was hauling. It could be you
14 shoveled it on. It could be you loaded it by
15 hand. Sometimes you might get a loader to load
16 you. It depends on what it was you was hauling.

17 Q. It just depended on what kind of
18 container the customer was using?

19 A. He didn't have containers in them
20 days. You had open top trucks. You throwed it
21 by hand.

1 Q. From a dock or a trash area?

2 A. Anything, yes.

3 Q. Now Fritz actually got some new trucks
4 when he got the trucks for Western Electric?

5 A. He did not get new trucks.

6 Q. He did not buy new trucks for the
7 Western Electric work?

8 A. No.

9 Q. When Fritz hauled the drums for Western
10 Electric that you said went to Quad Avenue, did
11 those go right in the back of those big dump
12 trucks?

13 A. No. He backed in to a platform. You
14 brought them over. You set them on the truck and
15 you rolled them off and rolled them in the front
16 of the truck. You rolled them in the truck.

17 Q. But you hauled them in those dump
18 trucks?

19 A. Yes.

20 Q. On Fritz's dump trucks did the back of
21 the trucks open up somehow so you could get the

1 trash out?

2 A. It had doors on it like a 30-yarder.
3 You know what a 30-yarder is don't you?

4 Q. I sure do.

5 A. Open top 30.

6 Q. I sure do.

7 A. The one I hauled.

8 Q. Back when Fritz had the Western
9 Electric contract, who all drove for Fritz on the
10 Western Electric runs?

11 A. I drove. Mike Cefaloni drove and Fritz
12 drove.

13 Q. Anybody else? Any temporary, any part
14 time, anybody who was just there a short while?

15 A. Yes. It was some people there for a
16 short time when we got in some trouble one
17 night. We went to town and got in a fight in a
18 bar and wound up going to jail.

19 Q. Did you actually go to jail over this
20 fight?

21 A. Yes, I went to jail for two nights

1 until they got us out. So we had some temporary
2 help there to take care of Western Electric.

3 Q. While you were in jail?

4 A. Yes.

5 Q. Any other temps or any other people who
6 filled in for a few months?

7 A. No.

8 Q. Just the three of you most days?

9 A. Every day it was the three of us. Well
10 Fritz only went down. It was two trucks
11 constantly. Fritz went down sometimes to haul
12 the barrels. If we were busy, he would go down
13 with another truck and haul drums and haul wooden
14 reels and stuff like that out of there. But
15 mostly the two trucks stayed hauling the trash
16 from the plants.

17 Q. Did Fritz have the Western Electric
18 contract when you first joined up with him or did
19 he get it later?

20 A. What do you mean when I first joined up
21 with him?

1 Q. When you first started working for
2 Fritz, did he have the Western Electric
3 contract?

4 A. Fritz got the Western Electric contract
5 when my father's mind had collapsed. Then Fritz
6 took over.

7 Q. I understand now.

8 A. And then that is when he went and got
9 the contract because my father couldn't fulfill
10 the contract. That is when Fritz took over. He
11 was the oldest.

12 Q. Was there a period of time between the
13 time that your father became incapacitated and
14 the time Fritz took over the business when the
15 business was run by your stepmother, Elizabeth?

16 A. I don't know for sure. I don't know.
17 It has been back so long, I don't know if she was
18 running it or he was running it or what went on.
19 I had no say over it. It was up to Fritz to
20 either take it over or lose it or whatever it
21 was, you know.

1 Q. Had Cefaloni actually worked for your
2 father before Fritz took over the business?

3 A. No, I don't think he did.

4 Q. Fritz hired Cefaloni?

5 A. Yes.

6 Q. Did Fritz hire Miller?

7 A. Yes.

8 Q. Did Fritz hire you?

9 A. Yes.

10 Q. Can you tell me anybody who helped your
11 father with the Western Electric?

12 A. I think Fritz did, but they hauled in
13 there theirselves.

14 Q. Oh, I see.

15 A. You see they had their own trucks. I
16 told you that before, Western Electric had hauled
17 in there before with their own trucks.

18 Q. That is what I'm trying to clarify.

19 A. And they had done away with their
20 trucks. Then Fritz had got these trucks and took
21 over. In fact, I think he bought one of the

1 trucks off of him, if I'm not mistaken. I think
2 he did.

3 Q. Now, is that one of these three same
4 dump trucks or is it a different kind of truck?

5 A. A different kind of truck. It was an
6 old big truck.

7 Q. Bigger than those dump trucks?

8 A. Yes, they were sort of bigger.

9 Q. What kind of truck was that?

10 A. Oh, man, don't ask me that.

11 Q. Not brand I just want to know what
12 style of truck, what type?

13 A. It was an open body truck. I think he
14 bought it for the body because the truck wasn't
15 no good.

16 Q. Getting back then to what I was trying
17 to get to, when Western Electric stopped using
18 it's own trucks and Fritz started doing the
19 hauling for them, not just letting them dump, but
20 the hauling for them, he bought a truck off
21 them?

1 A. Yes.

2 Q. And did he buy some more trucks from
3 anybody else?

4 A. He bought these other trucks with the
5 open bodies on them and used them and he bought
6 some trucks, Christ I don't remember when it
7 was. He bought some trucks off the brewery. The
8 brewery sold a bunch of old trucks. I think he
9 sold them for 100 or 200 a piece and he bought
10 them and put these bodies on them and that is
11 what he was running.

12 Q. He bought some rigs and put on a body?

13 A. No, half wore out they were and he set
14 these bodies on them and bolted the bodies to
15 them and then he made a dump truck out of them.
16 It wasn't no modern stuff like nowadays.

17 Q. Now, when did you get your truck that
18 was capable of pulling hydraulic roll-off?

19 A. After the landfill closed. He went and
20 bought a roll-off truck.

21 Q. After the landfill?

1 A. After the landfill had closed -- no,
2 no, no, wait a minute. I was running the
3 roll-off when my younger brother was running the
4 bulldozer on the landfill and he got drowned.
5 Then they didn't have nobody to run the
6 landfill.

7 I was running the roll-off at the time.
8 When he got ground, then I had to park the
9 roll-off. Then I went pushing on the landfill
10 with the bulldozer on that. But before that,
11 while my younger brother was running the
12 landfill, I was running Robb Tyler containers.

13 Q. After your younger brother passed away
14 in the drowning accident, was there anybody
15 besides you who worked for Fritz and who ran a
16 dozer?

17 A. No, no. Fritz would run a dozer too.
18 It wasn't a dozer. He had a loader. It was not
19 a dozer. It was a loader. And later on he got a
20 dozer. I don't know where he got it. It was an
21 old one.

1 Q. Did he get a dozer when they outlawed
2 the burning and he had to cover waste?

3 A. I think he did. I don't know when that
4 was. But everything mostly went to Robb Tyler's,
5 whatever he hauled, we hauled over to Quad
6 Avenue. All of Western Electric went to Robb
7 Tyler's because it was cheap them days. It
8 wasn't that expensive to dump over there.

9 Q. Move to strike, nonresponsive. That
10 was for the record.

11 Mr. Sauer, do you know where Fritz got
12 the dozer he bought?

13 A. No, sir I don't know where he bought
14 it. The contractor or something probably sold it
15 to him or wherever he got it.

16 Q. Was the loader a piece of equipment
17 that could be used for salvaging metal after
18 waste was burned?

19 A. No. Oh, you could. You could throw it
20 in the bucket, pick it up and dump it in the
21 truck.

1 Q. Would that help you fill up a truck
2 with metal?

3 A. Yes.

4 Q. Did Fritz also have a crane?

5 A. Yes.

6 Q. And was the crane a piece of equipment
7 that could be used for picking up metal for
8 salvage after trash was burned?

9 A. Right, it had a clam bucket on it.

10 Q. After he got the dozer, do you know if
11 Fritz continued to use the loader and the crane
12 or if he got rid of them?

13 A. After what now?

14 Q. After he got a dozer and after burning
15 wasn't legal anymore, did he keep the loader and
16 did he keep the crane?

17 A. I think he kept the loader and he sold
18 the old crane to Tom Spearman who used to have a
19 junkyard next door to us, but I think he's dead,
20 Tom. And he used to load automobiles with that
21 crane.

1 Q. Mr. Sauer, we have been a little unfair
2 to you about something and I want to correct that
3 if I can. We have been making you guess about
4 dates that were on paper and I want to help
5 establish some dates so that we will have them
6 for sure.

7 (Discussion off the record.)

8 Q. Mr. Sauer, I'm going to hand you
9 Exhibit 2 for your deposition which says
10 application for employment. I'd like to give you
11 a chance to look it over and see if that is your
12 employment application with Robb Tyler.

13 MS. CASANO: Is there an Exhibit 1,
14 Bill.

15 MR. BECK: Exhibit 1 is that map that
16 may or may not show where Standard Oil is. That
17 was in the last one.

18 (Whereupon, Sauer Deposition
19 Exhibit No. 2, application for employment with
20 Robb Tyler, marked.)

21 A. (Perusing.) This was in '70. It has

1 been a long while back.

2 Q. Is Exhibit 2 your employment
3 application with Robb Tyler?

4 A. It looks like it.

5 Q. Is the handwriting on Exhibit 2 your
6 original handwriting?

7 A. It looks like it.

8 Q. Let me show you the back?

9 A. I don't know. My wife filled this out,
10 I can tell you that right now.

11 Q. Why do you say that?

12 A. Because I can't read or write. That
13 looks like it.

14 Q. Is that your original signature that
15 appears on the back of page 2 right there?

16 A. Yes, that looks like it.

17 Q. Up at the top here it says application
18 for employment, 3-3-70 is the date of the
19 application, but above that somebody has written
20 started 2-22-70. Do you have any reason to think
21 those dates aren't accurate?

1 A. I told you before that I worked for
2 Robb Tyler when I quit my brother. I left my
3 brother.

4 Q. I understand.

5 A. I went over there and I think I got in
6 the union in 1971, I think.

7 Q. I'm going to help you with that. I'm
8 just talking about when you --

9 A. But I worked two years nonunion with
10 Robb Tyler.

11 Q. We will see if we can get the dates
12 exact. On Exhibit 2 it says started 2-22-70.
13 Let me show you Exhibit 3, the seniority list. I
14 think we have shared this. Look down at the
15 bottom right-hand corner and see if that is your
16 name.

17 A. (Perusing.) May 15, 1971. 5-15-71.
18 You see, this is when I got in the union. This
19 is when I was working for him nonunion.

20 Q. I think that is right. Exhibit 2, the
21 start date that it shows is when you started

1 working for Robb Tyler on a nonunion basis
2 running a dozer, right?

3 A. No, I was running a pan.

4 Q. Exhibit 3, though is when you joined
5 the union and became a driver, is that right?

6 A. Right.

7 (Whereupon, Sauer Deposition
8 Exhibit No. 3, seniority list, marked.)

9 A. No, I wasn't a driver then. I was
10 still running a dozer. I was working at
11 Quarantine Road. I worked over Quarantine Road
12 for I don't know how many years.

13 Q. As a driver?

14 A. As a dozer operator. That is where I
15 lost the dozer.

16 Q. Were you a member of the union as a
17 dozer operator?

18 A. No, it was all in 311. We didn't have
19 but one category. Everybody was the same.

20 Q. I don't think you heard me. When you
21 were operating the pan, were you a member of the

1 Teamsters Union?

2 A. No.

3 Q. What is it that you changed to that
4 caused you to join the Teamster's Union?

5 A. When I run the pan, Mr. Tyler got in a
6 whole lot of trouble back there behind the
7 office. You know where the office is down there
8 where the trailer is now?

9 Q. Yes, sir.

10 A. Well, that place back there used to be
11 a big landfill back in there, Quad Avenue
12 Landfill. And he got in a lot of trouble. He
13 was supposed to cover that place up with two foot
14 of dirt, the whole place. I think it is 65 acres
15 back there and he didn't cover it up and they was
16 going to sue him and do everything.

17 So he got me over there and I was
18 running the pan. We hauled dirt from way up on
19 Quad Avenue up off of that old farm up there,
20 hauled it back there and I covered that whole
21 landfill with two foot of dirt and I was not in

1 the union because I wasn't working over where
2 them drivers was.

3 Q. Sure.

4 A. So I worked for Robb Tyler for all that
5 time covering that landfill over there with
6 dirt.

7 Then when I did get done with that,
8 then he says I will put you on the dozer over at
9 Quarantine Road.

10 So then I went over there and that was
11 just like hawks after me. You are going in the
12 union or you ain't going to work here.

13 Q. So you joined the union when you moved
14 from your job putting that final cover on Quad
15 Avenue over at Quarantine?

16 A. Right, I covered it up with dirt and
17 then I went to Quarantine.

18 Q. When you covered up Quad Avenue with
19 dirt, it was closed already. You were just
20 putting final cover?

21 A. It was out of business. That was the

1 final cover. I graded it off with the dozer and
2 then I put two foot of dirt on top.

3 Q. Let me explain something for the
4 record, here. You and I are talking like people
5 talk where you kind of interrupt each other.

6 A. Right.

7 Q. It is very important for our court
8 reporter that you and I wait until each other are
9 finished before you start talking because she can
10 only get one of us at a time, okay?

11 A. All right.

12 Q. When you worked at Quad Avenue, it was
13 closed but you were putting the cover on top of
14 it, right?

15 A. Right.

16 Q. Then when you went over to Quarantine,
17 you joined the union?

18 A. No, I didn't join the union, not at
19 Quarantine. I was running the dozer over there
20 and I got away with it over there for maybe
21 another two or three years, two years, whatever

1 it was. I don't know how long it was. I didn't
2 join the union until I came over and got on the
3 trucks.

4 Q. Until you became a driver?

5 A. Then I became a driver. Then I had to
6 join the union.

7 Q. And how long do you think you worked
8 for Tyler before you joined the union and started
9 driving?

10 A. Man, I don't know, probably about two
11 or three years or longer.

12 Q. Mr. Sauer, I'm going to hand you what
13 is marked as Exhibit 4 and it says medical
14 examiner's certificate. This is to certify that
15 I have, this day, examined Louis W. Sauer in
16 accordance with the motor carrier safety
17 regulations and with the knowledge of his duties
18 I find him qualified for the regulations.

19 This is a DOT certificate. It is dated
20 June 17, 1971, and it has got a signature on it.
21 It is a photocopy. It's got a signature on it

1 and I will ask if that is your signature.

2 A. It looks like my signature.

3 Q. It's when you became DOT qualified that
4 you started driving, isn't that right?

5 A. I didn't think we had DOT laws back in
6 them days. We have got them now, but I didn't
7 think we had them then. I never had a DOT man
8 stop me as long as I have been driving until here
9 lately.

10 Q. Do you remember the company sent you to
11 go see a doctor so that he could fill out a
12 certificate saying that it was okay for you to
13 drive?

14 A. No, I don't.

15 (Whereupon, Sauer Deposition
16 Exhibit No. 4, medical examiner's certificate
17 date June 17, 1971, marked.)

18 Q. Mr. Sauer, Exhibit 5 is titled physical
19 examination form. It is dated with a stamp at
20 the top in red that says received June 22, 1971,
21 at the top left corner it says Rob Tyler, Inc.

1 It's got a signature down in the bottom
2 right-hand corner, and my only question is if
3 that is your signature down in the bottom
4 left-hand corner?

5 A. Yes, that is it.

6 (Whereupon, Sauer Deposition
7 Exhibit No. 5, physical examination form stamped
8 received June 22, 1971, marked.)

9 Q. Now you know that more recently when
10 you have gotten DOT qualified in recent years.
11 That requires that you go see a doctor to make
12 sure you are okay to drive, right?

13 A. Yes, now you do.

14 Q. Now, when you left Robb Tyler and Mr.
15 Sauer, it was when there was a strike and the
16 employees were laid off during the strike,
17 right?

18 A. Right.

19 Q. I'm marking over no words on Exhibit 6
20 on the back so I didn't cover anything up. Mr.
21 Sauer, what I have got is a document entitled

1 "Separation Request" it is a form from the State
2 of Maryland Employment Security Administration,
3 the unemployment people. It says Louis W. Sauer,
4 2128 Summit Avenue, and the blank says I am
5 unemployed because, it says LO, I assume that is
6 layoff, and it says strike.

7 It has a date of July, 1979, and there
8 is a place for a signature, and it is pretty
9 faint, but I'd like you to look at it and see if
10 you can tell us if that is your signature in the
11 lower right hand portion of the front of that
12 piece of paper?

13 (Whereupon, Sauer Deposition
14 Exhibit No. 6, Separation Request form dated
15 July, 1979, marked.)

16 A. (Perusing.) Yes, that looks like it.

17 Q. That was the last time you worked for
18 Robb Tyler, wasn't it?

19 A. Yes.

20 MR. JOSEPH: What was the date on that
21 last?

1 MR. BECK: The date is July 18, '79
2 written in by hand right here on the front. On
3 the back it has last day of work, 7-5-79 and
4 under reason for separation it says strike.

5 MR. BRAGER: Was that a strike of the
6 drivers or everybody?

7 MR. BECK: I will ask him on the
8 record. Let's take a break.

9 (Break taken.)

10 Q. Mr. Sauer, during the break you
11 clarified one thing and that is when you left the
12 company in 1979 from the strike, actually the
13 company was BFI at that point, not Robb Tyler,
14 right?

15 A. Right.

16 Q. When the strike occurred, was it a
17 strike of just drivers or was it all the
18 Teamsters in 311 who worked for the company?

19 A. It was everybody. Everybody went out.
20 The whole place shut down.

21 Q. Let me ask you to just clarify one

1 thing for me or actually it will be a few things
2 out of your previous testimony.

3 You talked about the fact that your
4 brother, Fritz, had a son in Oklahoma who married
5 a woman with three or four kids and one of them
6 caused a fire in which some records were
7 destroyed?

8 A. That is what my brother had told me,
9 because when I asked him, I said, well, you have
10 got records of everything you done. Ain't you
11 got records of what you hauled and what you
12 done. He said no, when his son, Fritz, he said
13 when the house burned down over there, he said I
14 had them upstairs in the attic and everything got
15 burned up.

16 Q. And that house was on Fait Avenue?

17 A. Fait Avenue and 48th Street. It is
18 either 47th or 48th Street, it is a big house on
19 the corner that belonged to his wife's mother and
20 father.

21 Q. What are their names?

1 A. Oh, man, I don't know.

2 Q. All right.

3 A. But the whole roof and everything
4 burned off of it. The kids was playing up there
5 with matches and set the house on fire upstairs.
6 It had like a story and a half and it was like
7 rooms upstairs.

8 Q. But as your brother indicated it to you
9 when you asked him about it, all of his records
10 that would have shown everything are gone because
11 of that fire?

12 A. Right.

13 Q. Let me ask you another question. You
14 said that this dump had an entrance off Kane
15 Street.

16 A. Right.

17 Q. When you drove in the junkyard was on
18 your right as you entered from Kane Street?

19 A. Yes, the junkyard was on the corner.
20 It was two entrances to that. I don't know if I
21 told you two or one but it was two entrances.

1 But in them days, Sparrows Point was so great
2 with people working down there, you couldn't go
3 out on North Point Road out through the one
4 little exit, the entrance on North Point Road
5 because you couldn't get out with the trucks.

6 So they all came out and entered on
7 Kane Street, went down to North Point Road and
8 there was a red light and you could go either way
9 on the light. You could get out on the light.

10 But if you went out North Point Road
11 entrance, nobody used that because you couldn't
12 get out on account of the traffic was so bad down
13 there on North Point Road and Kane Street.

14 Q. This is going to sound like a tough
15 question but it is pretty important, so do your
16 best for me if you could. How far, do you think,
17 from the corner at North Point was that Kane
18 Street entrance?

19 A. From the corner of North Point and Kane
20 Street?

21 Q. To the entrance off of Kane.

1 A. Give or take it could be 1,000 feet.

2 Q. To place it, you have already testified
3 that as you drive in that entrance into the dump,
4 the junkyard is on your right?

5 A. Right.

6 Q. Was the road where you drive in, the
7 entrance where you drive in right next to the
8 junkyard?

9 A. Yes, the junkyard used to come up to
10 the road and right between the road and the
11 junkyard there was a road that went through
12 there.

13 Q. But as you drive in that Kane Street
14 entrance to the dump, the junkyard is right there
15 next to where you are driving?

16 A. It was right on the corner. The
17 junkyard was right on the corner.

18 Q. What I'm trying to figure out is as you
19 drive in the entrance, is the junkyard right next
20 to you on your right?

21 A. Yes, right next door to you on your

1 right.

2 Q. Now, in the dump itself, you have
3 talked about how you have to have a road for the
4 trucks to drive on, right?

5 A. Right.

6 Q. Did you help build some of those
7 roads?

8 A. Oh, sure. You done that day in and day
9 out. If you got a bad hole in the road and a
10 load of bricks come in, you dumped it in the
11 middle of the road and run over it and flattened
12 it out and that fixed the road.

13 Q. Why did you have to build roads for the
14 trucks to run on. Why couldn't they just ride
15 across the middle of the dump?

16 A. Why?

17 Q. Yes, sir.

18 A. Because a lot of times you have bricks
19 and stuff sticking up from settlement and you
20 couldn't let them run over that. They would tear
21 their air tanks and everything out. So you built

1 them some kind of decent road to travel on to
2 keep from tearing their trucks up.

3 Q. And the road would stretch from the
4 place where the trucks entered on Kane Street on
5 back to where the dozer operator was?

6 A. Right, where the dozer operator was.
7 All dumps, you build your own road with whatever
8 good material comes in. It is constantly
9 settling on you. You get settlement holes.

10 Q. I tried to clarify this before, and I
11 didn't do a very good job, but let me just make
12 sure I understand one thing. When the railroad
13 built the spur, that did result in them knocking
14 down some trees, right?

15 A. I don't know for sure. I think it did
16 and I don't know for sure now.

17 Q. What I'm trying to figure out is if
18 there might be some places that we looked down at
19 from an airplane where there would be trees
20 cleared because the railroad was building a spur
21 and not because somebody was dumping there?

1 MS. LAMONT: Objection.

2 MR. GRUMMER: Objection, leading.

3 A. I don't know for sure. I'm not going
4 to say for sure, because I don't know.

5 Q. I don't want you to say anything you
6 don't know. Was John Miller's only customer
7 Crosse & Blackwell?

8 A. To the best of my knowledge, that is
9 all he drove and he could have helped out on
10 Western Electric sometimes when one of us didn't
11 show.

12 Q. But his basic route was just back and
13 forth Crosse & Blackwell to the dump?

14 A. Yes, I think two times a day he went
15 over there with his truck. I think he did. I'm
16 not for sure. It could have been more.

17 A. Right.

18 Q. You testified about a machine they had
19 at Robb Tyler that would dispense your tickets
20 for your various stops in kind of an accordion
21 fashion?

1 A. Yes. In other words, I don't know what
2 you would call it. I guess it is a teletype
3 machine or whatever you call it but it stamped
4 all the tickets out. The names is on them, the
5 streets and addresses and what type container was
6 on it and you just take them out. You tear them
7 off and you knew where you were going. The same
8 route I had day in, day out, day in, day out and
9 I might get some extras, you know.

10 Q. When you were a driver for Robb Tyler,
11 that machine that punched out those tickets was
12 in use then, wasn't it?

13 A. Yes. And sometimes, now, if they would
14 get, say you could call in late and I would be in
15 the shop broke down, I might go out and make a
16 load or two and I would come in the shop when I
17 worked for Robb Tyler and if I was broke down and
18 one of the bosses would come out and say, here,
19 here's two more stops.

20 Q. I understand you get extras?

21 A. They would hand write them out and tell

1 you to go get them because they were missed.

2 Q. I understand there were extras. I'm
3 just trying to place that machine right now.

4 During the period of time after Quad
5 Avenue stopped getting waste and before North
6 Farm opened, when Robb Tyler trucks were coming
7 over to Fritz's Landfill, do you know where
8 Chevrolet Ray was taking his waste?

9 A. That is still in my head. I thought of
10 him and I still cannot give you an answer on him
11 and I told you the other day, he was always over
12 there. I tell you what he used to do. He used
13 to come over there and he used to jump the dump.

14 He used to get his beer loads and he
15 would pick out beer and he would pick out all
16 kind of toys and stuff, whatever was on the dump
17 but I still don't know if the man dumped there or
18 he didn't.

19 Q. I appreciate that. All I'm trying to
20 establish is that you don't know that he didn't,
21 right?

1 A. Right. He could have dumped when I was
2 fueling up or something or what. I don't know.
3 I'm not going to say. I'm not going to commit
4 myself if I don't know.

5 Q. I appreciate it.

6 Mr. Sauer, did you say that there was a
7 fire at Fritz's dump and somebody came and
8 arrested you over it?

9 A. Yes. It was a mistake.

10 Q. But did they write up a report and take
11 you in and book you?

12 A. I went to jail, yes. The judge told me
13 and he fined me \$50. Any time that you are on a
14 place and you see a fire, you must call the fire
15 department and notify them that it is a fire.
16 And I said well it had burned all night long
17 there, what am I supposed to do? I was getting
18 my truck ready to haul Robb Tyler containers.

19 Q. Did Fritz get arrested?

20 A. No, he didn't get arrested, I got
21 arrested for being on the property without

1 notifying the authorities. It was my own
2 dumbness.

3 Q. You mentioned something to us in your
4 first day of deposition. I want to follow up
5 because I want to find out what the location is.

6 You said that you had worked for Al
7 Landay at one time or another?

8 A. Yes, sir, I did.

9 Q. Do you have any idea how many years
10 that was?

11 A. Now wait a minute now, not years.

12 Q. Months?

13 A. Months.

14 Q. Months?

15 A. Not years, not weeks or months. Al
16 Landay would come over to see Fritz and Fritz
17 would say Louie, load the dozer up on the truck
18 and take it over to such and such a place and
19 grade off whatever Al wants done over there. I
20 would go do it.

21 Q. So Landay would hire North Point and

1 Fritz would send you?

2 A. Fritz. He would hire the dozer or the
3 small dozer or loader and I would go over. He
4 would send me over to grade off whatever he
5 wanted done and load the tractor back up and
6 bring it back.

7 And sometimes Al would tip you or
8 whatever he would do, whatever him and Fritz's
9 agreement was, I don't know.

10 Q. And during some of those occasions, did
11 you actually help put trash or waste material in
12 to Landay property other than North Point dump?

13 A. No, no. You are jumping the gun again
14 on me. I said dirt leveled off, grade the dirt
15 off to build a building, not trash, dirt. Over
16 on Patapsco Avenue, I graded all that ground off
17 over there and the man built all new buildings on
18 it.

19 Q. All you were doing was grading off?

20 A. Grading off clean, fill dirt, cutting
21 the foundation.

1 Q. I want to clarify another thing. There
2 was some riot debris, some demo material from
3 buildings that were razed in the riots that came
4 out to Fritz's dump.

5 A. Right.

6 Q. Do you know anything about what
7 buildings those were from?

8 A. No.

9 Q. Do you know if they were city
10 property?

11 A. I don't know. It was so much commotion
12 going on with that riot, I don't know when the
13 riots went on. It was so much going on, you
14 don't know where it came from.

15 Q. Do I understand correctly that the
16 picking of whatever area on the Landay property
17 was filled in was determined by Mr. Landay? He
18 would say go over and fill in that area?

19 MR. MASUR: Are you talking about --
20 objection, are you talking about the Landay
21 property including Sauer's dump or the other

1 Landay properties you just referenced.

2 Q. I will clarify that.

3 I'm just talking about at the North
4 Point dump now. At the North Point dump did Mr.
5 Landay come out and say Fritz, I want you to fill
6 out that area over there?

7 A. When all would come up there, sometimes
8 he would come early in the morning and sometimes
9 he would come at 10, 11, 12 o'clock. He would
10 look out over the piece of property and he would
11 say it's getting too high over there and he said
12 I want it cut down.

13 Q. And would you have to bulldoze that
14 area flat?

15 A. Yes, you would have to cut it down the
16 way he wanted it. And when he would look across
17 there, he would tell you where he wanted it
18 filled.

19 Q. There were lots of different places on
20 the property that needed to be filled in, weren't
21 there?

1 A. Yes, it was. It was no one certain
2 place you filled in. You leveled that place up
3 to his specifications the way he wanted it.

4 Q. While you were driving a dozer for
5 Fritz at the North Point dump, I think you have
6 told us a little bit about how the trash was
7 actually landfilled where you would take waste
8 and then you would compact it and then you would
9 put dirt over it, is that correct?

10 A. You would push it in layers and then
11 you would push demolition on top of it. You had
12 demolition trucks that were hauling broken
13 concrete and this and that in there and you would
14 cover up with that at night. That is what you
15 covered up with, demolition.

16 Q. If I wanted to picture what is
17 underground in those areas, what I would see is a
18 layer of dirt and a layer of trash or demo and
19 then more dirt and then more trash or demo and
20 then more dirt?

21 A. Right. Right.

1 Q. And when Smitty was over at the North
2 Point dump driving the dozer during the period he
3 was there, he was doing that same thing?

4 A. The same thing, helping me. We were
5 running side by side with dozers because there
6 was too much for one dozer.

7 Q. So if you went in to an area that
8 Smitty had been working and you dug a hole
9 straight down, what you ought to see is a layer
10 of dirt, a layer of trash, a layer of dirt, a
11 layer of trash?

12 A. Yes, to a certain extent, you would
13 find that.

14 Q. Because he put on daily cover every
15 day, didn't he?

16 A. Right. You had to cover it every night
17 or the kids would set it on fire.

18 Q. You mentioned in your deposition that
19 back when your father ran his salvaging operation
20 that the boys worked for him.

21 A. All the boys did.

1 Q. I want to make sure I know who the boys
2 are?

3 A. Well, Fritz, my brother Henny.

4 Q. I'm sorry?

5 A. Henny, Henry.

6 Q. Henry Sauer?

7 A. Yes.

8 Q. Who else?

9 A. They was the two oldest and then me.

10 Q. Any others?

11 A. No, the others went on.

12 Q. Is Henry Sauer still living?

13 A. Yes.

14 Q. Where does he live?

15 A. Lynhurst Road. I don't know his
16 address.

17 Q. Is he down in that same cul-de-sac
18 where Fritz's house is?

19 A. Yes, down in there.

20 Q. Did he work out there for years just
21 like you did?

1 A. No, he didn't work there too long then
2 he left and went to Sparrows Point and got a
3 better job down at the Point. I don't know how
4 long he worked for my father, but it wasn't too
5 long.

6 Q. Did he ever work for Fritz?

7 A. No.

8 Q. So that was all back in your father's
9 day?

10 A. Back in my father's day.

11 Q. Back at the time of the riot, there was
12 a strike over at Robb Tyler, do you remember that
13 back in '68 when they had those riots in
14 Baltimore, do you remember a strike at Robb
15 Tyler?

16 MR. GUTTER: Objection.

17 A. No, there wasn't no strike when the
18 riot was on. That was a Baltimore City strike.

19 Q. I'm sorry?

20 A. Baltimore City, Baltimore City trash
21 trucks went on strike when I went over there.

1 That was when we were uptown there picking up
2 trash and the Baltimore City drivers run us off
3 with pick handles.

4 Q. That wasn't a Robb Tyler strike?

5 A. That was BFI but he did have a strike,
6 Robb Tyler.

7 Q. I know he did in '79 when you left?

8 A. No, no, no, another one.

9 Q. That is what I'm trying to place?

10 A. I don't know when it was. That is what
11 I'm talking about when Baltimore City trucks went
12 out when I worked over there for BFI. I worked
13 for BFI. We used to pick all these trash trucks
14 up here in the city and they run us off with pick
15 handles.

16 They took the keys away from the truck
17 and I had to get a cab to go back to the yard and
18 they had to get another set of keys and come back
19 and get the truck. That was Baltimore City strike.

20 Q. I'm trying to place these things in
21 time and make sure I understand what they are,

1 that is all. That is all I'm trying to do.

2 A. I'm thinking, when was that strike he
3 had. It was before BFI bought him out. It was
4 the last contract. I think it was the last
5 contract he had before BFI bought him out.

6 MR. MASUR: Are we talking about the
7 Robb Tyler strike or the City strike?

8 A. The Robb Tyler strike when he hauled in
9 there.

10 Q. Are you talking about the last union
11 contract?

12 A. Yes, the union contract but with Robb
13 Tyler, not BFI, Robb Tyler.

14 Q. During that strike, I'm only asking
15 about the strike that occurred when the union
16 contract ran out for Robb Tyler before BFI bought
17 it, okay?

18 A. Right.

19 Q. During that strike did Fritz provide
20 drivers for Robb Tyler customers?

21 A. No, no. I wasn't going out and get my

1 head beat in.

2 Q. So you never personally drove scab?

3 A. No, I won't. That is dangerous.

4 Q. You have referred to yourself as having
5 had a regular route and you told us the names of
6 four companies that you regularly pulled for, the
7 brewery, for example J. S. Young.

8 A. Yes.

9 Q. Go you remember any other companies
10 that were on your regular route?

11 A. I can tell you the companies I hauled
12 for. Do you want to hear them?

13 Q. Yes, sir, all of them.

14 MR. GUTTER: First can we establish
15 when he hauled for whom?

16 MR. BECK: Sure.

17 A. When I worked for Robb Tyler, I hauled
18 for Ruberoid. That is now a different name that
19 makes shingles for houses. I hauled for National
20 Gypsum Company that made Sheetrock for homes. I
21 hauled for J. S. Young Company that made dye or

1 whatever you call it. I don't know what kind of
2 stuff they made down there, chewed up wood or
3 whatever it was.

4 National Brewery, Schaefer Brewery and
5 some miscellaneous but I can't recall them. That
6 was a steady route working for Fritz and hauling
7 for Robb Tyler.

8 Q. And those are the only companies that
9 you can say that you hauled for --

10 A. I didn't state that.

11 Q. Excuse me, let me finish the question
12 please, then you can correct it.

13 A. Okay.

14 Q. While you were working for Fritz, but
15 hauling waste for some Robb Tyler customers, is
16 there any other Robb Tyler customer you hauled
17 for that you can name specifically?

18 A. PEMCO Corporation, Shapiro Rag Company
19 down on O'Donnell and Newkirk Street. Shapiro
20 Rags. They used to have rag containers in there.

21 That is about all I can remember. It could be

1 a whole lot more, but I can't remember.

2 Q. Could there have been some small
3 miscellaneous commercial businesses?

4 A. No, no. Because you couldn't get a
5 30-yard container in there. If they had it, I
6 wouldn't know. No, I'm not going to state that
7 because I couldn't have set the can down. A
8 small commercialized business, I would have to
9 load it myself, and I didn't load the container.
10 All I did was set it off and you loaded it.

11 Q. The only customers you hauled for then
12 when you worked for Fritz were roll-off
13 customers?

14 A. Yes.

15 Q. You realize because we have to ask you
16 a lot more questions because there are not any
17 records to look at, so we have to get all the
18 names we can down?

19 A. I know.

20 Q. Let me ask you a couple of specific
21 ones. Do you remember your brother having a job

1 hauling some trash for the Aberdeen Proving
2 Grounds?

3 A. Not that I know of.

4 Q. Do you remember some infrared photo
5 film that would come out there from them in their
6 trash?

7 A. No, not that I know of.

8 Q. Do you remember your brother hauling
9 some trash for one of the soft drink canning
10 plants?

11 A. Soft drinks?

12 Q. You can't remember that, Coke or
13 Pepsi?

14 A. That would be Pepsi Cola, but wait a
15 minute. He didn't haul that. That was Robb
16 Tyler stuff.

17 Q. Do you remember if you ever drove for
18 Pepsi?

19 A. Me? Drove for Pepsi or hauled for
20 Pepsi?

21 Q. Yes, sir, hauled Pepsi waste?

1 A. Hauled Pepsi waste, yes. Not while I
2 worked for Fritz though.

3 Q. Only after you went to work for Robb
4 Tyler?

5 A. That was a Rob Tyler stop, Pepsi-Cola
6 and Coke.

7 Q. You mentioned a couple of times the
8 trailer at the North Point dump?

9 A. A little house trailer he had there
10 like an office trailer or something, yes.

11 Q. How big was that office trailer?

12 A. About half as big as this room.

13 Q. Is that the trailer out of which Fritz
14 ran his business?

15 A. I imagine -- no. We had a room in the
16 back where we kept all the tires and wrenches and
17 stuff and he had a little desk up front, a little
18 window there. That was all.

19 Q. That was the desk for his business,
20 wasn't it?

21 A. Yes, well his business -- I guess so

1 but mostly it came out of his home over on Fait
2 Avenue was where he done his business. If you
3 wanted him, that is where you called him, at
4 home. He had a phone there but that is only what
5 we used for calling back and forth and stuff like
6 that.

7 Q. Who generally answered the phone?

8 A. Didn't answer it. You used it calling
9 back and forwards. My sister worked in there.

10 Q. That is where Anita worked?

11 A. Yes.

12 Q. The trailer had a window?

13 A. A window on the front of it with a
14 little slot, like.

15 Q. Is that where the drivers went for
16 their tickets?

17 A. Yes.

18 Now, when I hauled in there for Robb
19 Tyler, there were no tickets made up for that.
20 We never had no tickets for that. That was just
21 dumped. I don't know what the deal was to tell

1 you the truth.

2 Q. Well you don't know what the deal was
3 do you?

4 A. No. All I know was I backed up and
5 dumped when I was hauling for Robb Tyler I would
6 just take it in there and dump it and go.

7 Q. The tickets that Anita would work with
8 the drivers on were for the other haulers,
9 right?

10 A. Yes. And she wasn't there. Mostly
11 Fritz's wife took care of that. She was mostly
12 there all the time. She was controlling the
13 tickets.

14 My sister would fill in, you know.

15 Q. How long has it been since you talked
16 to Anita Lipppa?

17 A. Yesterday.

18 Q. Did you talk to her about this case?

19 A. No.

20 Q. Did you ever ask her if she remembered
21 any of the companies that hauled waste in there?

1 A. I didn't ask her nothing. I ain't
2 getting in the middle of he said this and who
3 said that. I'm not getting in that.

4 Q. Mr. Sauer, I'm trying to track some
5 records down. I need a number and you aren't
6 going to remember it, but help me find it.

7 Do you remember that you would get a
8 W-2 form from Fritz so you could pay your taxes?

9 A. Yes, I did. He took income taxes and
10 Social Security out of me.

11 Q. And at the end of the year you would
12 get that form for your tax return?

13 A. If this would have happened in the last
14 five years I would have had all my income tax
15 records but my wife threwed them away when she
16 cleaned out the bills and asked me, and I will
17 never forget it, do you really need all these old
18 income taxes and I said no. And she throwed them
19 away and if I had had them now, I would have had
20 my proof.

21 Q. I tell you what I'm trying to get to.

1 Nobody is questioning that you worked for Fritz
2 that I know of. But what I'm trying to find out
3 is the government assigns a number to every
4 employer called the employer ID number and it
5 shows up on your W-2. Do you have any old
6 W-2's?

7 A. No, if she would not have throwed them
8 away, I would have had them.

9 Q. Now you did some cash jobs primarily
10 for contractors, is that right?

11 A. What do you mean?

12 Q. Some cash jobs where you go out and
13 pick up some trash and then get paid in cash?

14 A. No, I didn't. How do you figure I'm
15 going to do all that hauling when I had all them
16 Robb Tyler cans to take care of.

17 Q. So you deny that you did cash jobs for
18 contractors?

19 A. I never had no cash contracts, not on
20 my truck.

21 Q. Do you remember any contractors for

1 whom North Point did cash work?

2 A. No, I don't.

3 Q. There are some things that appear in
4 the transcript from the first day of your
5 deposition I want to talk about you real quickly
6 Mr. Sauer. I want to make sure that what we have
7 down is absolutely correct.

8 On page 24 of your deposition, please
9 listen to this carefully, Ms. Casano asked you
10 the question: "And did Robb Tyler have his own
11 dozer at Sauer's Landfill throughout the time you
12 were working for your brother?" And the answer
13 on this paper is yes.

14 A. He did, yes.

15 Q. Isn't it true, sir, that Robb Tyler
16 only had the dozer over at Sauer's Landfill when
17 Smitty was there after Quad Avenue closed and
18 before --

19 A. Well, wait a minute, now. You are
20 saying did he have it there the whole length of
21 the time or did he have it there from the time he

1 started dumping in there until he stopped. What
2 are you saying?

3 Q. I'm trying to ask that question to
4 you?

5 A. Oh, you are trying to say --

6 Q. No, sir, I'm not trying to say
7 anything. I'm trying to find out what the fact
8 is.

9 A. Let me hear the fact then.

10 Q. My question is was Smitty there every
11 day you ever worked for Fritz or was he only
12 there part of that time?

13 A. Smitty was there the whole time that
14 Robb Tyler's trucks hauled in there. Do you know
15 what I'm saying?

16 Q. I don't think the record does.

17 A. I don't care what the record does.

18 Q. Mr. Sauer my question was simply this.
19 You worked for your brother for several years?

20 A. Right.

21 Q. Now listen, please, Smitty wasn't there

1 that whole time, was he?

2 A. No. You are not listening to what I'm
3 telling you. I'm saying Smitty was there, let me
4 put it this way, from the time Quad Avenue, Robb
5 Tyler's Landfill closed up over Quad Avenue. Are
6 you listening to me?

7 Q. Yes, sir.

8 A. From that time until the time Fritz's
9 Landfill closed up, that is the period of time he
10 was there.

11 Q. Which was when Norris Lane opened up?

12 A. Yes, and once Norris Lane opened up
13 that was closed, Smitty moved out. You couldn't
14 dump no more at Fritz's place, it was full. Then
15 everybody moved to Norris' Landfill.

16 Q. Now, I understand exactly what you are
17 saying, and the reason that I'm trying to
18 establish this, Mr. Sauer, is that there is an
19 answer in here that sounds different from that
20 and it says, the question is: "Did Robb Tyler
21 have his own dozer at Sauer's Landfill throughout

1 the time you were working for your brother?"

2 The answer to that is no, isn't it?

3 A. I don't understand the question. You
4 are saying did he have the landfill there -- I
5 mean did he have the dozer there the whole time
6 that I was working for my brother.

7 Q. The answer to that is no, isn't it?

8 MR. GRUMMER: Objection, leading.

9 MR. BECK: I can't lead on
10 cross-examination Mr. Grummer?

11 A. Still you don't have it right.

12 Q. That statement is not right?

13 A. Well, something ain't right, I'm going
14 to tell you that right now.

15 Q. Clearly, Mr. Sauer, all I'm trying to
16 do is make a record?

17 A. You are trying to get something
18 backwards here. In other words, what I'm telling
19 you is when Quad Avenue, Robb Tyler's Landfill
20 closed up and they moved everything over to
21 Fritz's, that is when Smitty came over.

1 Q. And that is the only time?

2 A. And that was the only time.

3 Q. Right. And it wasn't the entire time
4 you worked for Fritz?

5 A. No, my younger brother pushed the trash
6 over. How long was he over there, Smitty? How
7 long did Robb Tyler dump over Fritz's?

8 Q. We have to let Smitty testify, though,
9 to that. In fact, I think he did.

10 A. I'm saying he was over there roughly
11 four, five or six months, somewhere along in
12 there.

13 Q. Is it correct that you don't know how
14 long he was over there?

15 A. No, I don't know how long he was over
16 there.

17 Q. I want to make sure sure this is clear,
18 because I'm not sure it is yet.

19 When you got those tickets out of that
20 accordion machine over at Robb Tyler, they didn't
21 have the name of a dump on them, did they?

1 A. No.

2 Q. They didn't tell you where to take it?

3 A. They told me to take it and haul it --

4 Q. No, no, I'm sorry, the tickets?

5 A. No. You had to take it to Fritz's.

6 You didn't have no other where to go with it.

7 Q. Are you talking about when Rob didn't
8 have a landfill open?

9 A. Yes, that is right. I wasn't hauling
10 then when Rob didn't have a landfill open. I was
11 on the landfill with a dozer. But whatever the
12 deal was, the deal was. Whatever I hauled went
13 to Fritz's before he got closed up.

14 Q. Well, you hauled some waste to Quad
15 Avenue, didn't you?

16 A. What?

17 Q. You hauled some waste to Quad Avenue,
18 didn't you?

19 A. With Fritz's truck?

20 Q. Yes.

21 A. No.

1 Q. You never did?

2 A. No.

3 Q. Did you ever haul to Reliable?

4 A. No.

5 Q. Quarantine?

6 A. No. For Robb Tyler, when I drove for
7 him I hauled to Quarantine, yes. I hauled to
8 Reliable, Quarantine.

9 Q. Mr. Sauer --

10 MR. GRUMMER: Would the reporter mark
11 that portion please.

12 THE WITNESS: I know what you are going
13 to say. Watch me get you, because you ain't got
14 it right.

15 Q. Let me ask you a question. Crosse &
16 Blackwell was your brother's customer?

17 A. Right.

18 Q. Mr. Miller did haul waste from Crosse &
19 Blackwell when it was your brother's customer,
20 right?

21 A. Yes.

1 Q. And it wasn't a Robb Tyler customer
2 then, was it?

3 A. No.

4 MR. BRAGER: Off the record for a
5 second.

6 (Discussion off the record.)

7 Q. Mr. Sauer, some Crosse & Blackwell
8 waste went to the North Point dump, right?

9 A. It should have went to the North Point
10 dump.

11 MS. MARKS: Which dump are you talking
12 about when you say North Point dump?

13 MR. BECK: Fritz's.

14 THE WITNESS: Fritz's dump.

15 Q. That was what you called Fritz's dump,
16 wasn't it?

17 A. Right. And again, some of it could
18 have went to Robb Tyler's, I don't know.

19 Q. But you know some went to Fritz's
20 dump?

21 A. Some went to Fritz's dump.

1 Q. Mr. Sauer you worked for your brother
2 right up until the time Fritz's dump closed,
3 right?

4 A. Right.

5 Q. And you went to Robb Tyler later than
6 that, right?

7 A. No. When he closed the dump, that is
8 when I went to Robb Tyler, within the next two
9 days.

10 Q. And it was after the dump was already
11 closed?

12 A. Already closed. After they closed it
13 up I was gone.

14 Q. And you never went back to that dump?

15 A. Never went back, that was it.

16 Q. And you didn't go back to that dump
17 while you were an employee of Robb Tyler later
18 on, did you?

19 A. No. What am I going back to, there
20 wasn't nothing there. He had moved out.

21 MR. MASUR: Let me object or just ask

1 for clarification. He said he went to Robb Tyler
2 within a couple of days after the dump closed.
3 The dump that he is referring to is what?

4 MR. BECK: Fritz's dump.

5 THE WITNESS: Fritz's dump.

6 MR. MASUR: Thank you.

7 Q. Can you tell me anything that you do
8 know about what agreements Fritz had with
9 anybody?

10 A. No.

11 Q. Do you know anything?

12 A. No.

13 Q. Do you know if he had agreements with
14 his customers?

15 A. With who?

16 Q. With his customers?

17 A. No.

18 Q. Do you know if he used contracts or if
19 he made handshake deals?

20 A. I don't know.

21 Q. Were you ever present when your brother

1 made any agreement with anybody?

2 A. Not that I know of.

3 Q. Did your brother ever tell you what
4 agreements he had made with anybody?

5 A. No. He would tell you that is none of
6 your business. That is why I don't know today
7 what the agreement was with him and Robb Tyler.

8 Q. Do you know that there was an agreement
9 between him and Robb Tyler?

10 A. I don't know, but I know one thing, he
11 took a lot of trash.

12 Q. When did your brother completely,
13 finally and for every get out of the hauling
14 business?

15 A. When he passed away. That was it.

16 Q. Did your brother ever, before his
17 death, get out of the hauling business?

18 A. Not that I know of. He was always in
19 to some kind of hauling.

20 Q. Was he hauling trash that whole time?

21 A. I don't know what he was hauling, scrap

1 steel, whatever he would haul.

2 Q. Do you know what property your brother
3 owned as part of his business? Do you know what
4 assets he kept on his books?

5 A. He what?

6 Q. Do you know what property he kept on
7 his books for his business, what things he
8 owned?

9 A. No, that was his business, his trucks,
10 his everything. He owned everything.

11 Q. Do you know if he owned that trailer
12 that was out there at Fritz's dump?

13 A. I don't know.

14 Q. Do you know if he owned that crane or
15 if it was owned by somebody else?

16 A. No, it was probably owned by him. It
17 was a junker. It wasn't no late model stuff. It
18 was a junker. Probably about a \$300 or \$400
19 junker. He was the only one that could run it.
20 I couldn't run it.

21 MR. BECK: Could we take a two minute

1 break.

2 (Break taken.)

3 Q. Mr. Sauer, isn't it true that North
4 Point Trash Removal Service, your brother's
5 company, had its own customers and its own trucks
6 and its own containers?

7 A. Yes. He had his own trucks, his own
8 containers, his own customers.

9 Q. Where were the containers stored?

10 A. He stored them over there on North
11 Point Road.

12 Q. What sizes were there? How big did
13 they go?

14 A. I would say roughly he had three
15 containers. I'm giving or taking, two 30-yarders
16 and one 20 and a couple of little Dumpster caps
17 is all he had. And the rest of them he had
18 sitting over there belonged to Robb Tyler, were
19 spares.

20 Q. He went over and got some cans from
21 Robb Tyler to use in his own business?

1 A. No, I used to go over and pick up, not
2 in his business. I used to have containers to
3 keep from double running. I would get me a
4 couple of spares. If the ticket said it was a
5 20-yarder, I would have a 20 sitting there. I
6 would take the empty with me and pick up the
7 loaded one, cover it up and come on back and I
8 didn't have to double run it.

9 Q. Didn't North Point have a couple of its
10 own containers?

11 A. It had about two or three. That was
12 about it. They was expensive, them containers.

13 Q. Didn't North Point's customer list
14 include residences, people's homes?

15 A. No.

16 Q. North Point didn't do residential
17 hauling?

18 A. No, we didn't haul no homes.

19 Q. Didn't North Point's customers include
20 commercial businesses?

21 A. A couple of commercial businesses he

1 had.

2 Q. What were they?

3 A. At the time we were hauling with Robb
4 Tyler or what? What are you talking about?

5 Q. No, sir, I'm not talking about that.
6 North Point Trash Removal Service.

7 A. His services.

8 Q. North Point Trash Removal had
9 commercial customers?

10 A. I think he had Crosse & Blackwell. I
11 don't know who he all had to tell you the truth.

12 Q. Did North Point Trash Removal have
13 industrial customers?

14 A. At the time or when?

15 A. North Point Trash Removal Service, Mr.
16 Sauer.

17 Q. He had Crosse & Blackwell and he had
18 Western Electric was all to the best of my
19 knowledge.

20 Q. What about Container Corp.?

21 A. Who, container?

1 Q. Yes, sir.

2 A. He had that but I don't know when he
3 got it.

4 Q. But it was a North Point Removal
5 Service customer?

6 A. I don't know if it was or not. I don't
7 even know if Crosse & Blackwell was a North Point
8 Removal Service --.

9 Q. You don't know that?

10 A. No, I don't.

11 Q. You don't know who was which, do you?

12 A. No, I don't. I had no control over
13 that.

14 Q. Nor were you involved in the
15 determination of that, were you?

16 A. No.

17 MR. MASUR: I object to the last
18 question on the grounds it is vague and
19 ambiguous. I'm not sure what determination of
20 refers to. I would make that objection for the
21 record.

1 for 1968. Exhibit 11 is out of the Yellow Pages
2 for 1969? Exhibit 12 is out of the Yellow Pages
3 for 1970. Exhibit 13 is out of the Yellow Pages
4 for 1971.

5 I will let you look at all of them in
6 just a minute but I'm going to go to Exhibit 11
7 which is the May 1969 Yellow Pages. Down in the
8 bottom right-hand corner of that page, sir, there
9 is a display ad for North Point Trash Removal.
10 Do you see the ad?

11 A. Yes. I don't know where he got this.
12 Where did he get this trash truck on here. He
13 ain't never had nothing like that. You have got
14 a front loader on here. He ain't had no front
15 loaders.

16 Q. Sir, I can't tell you why your brother
17 advertised the way he advertised?

18 A. Well, I don't know that either. He
19 ain't had nothing like that. The only one that
20 had anything like that years ago was Robb Tyler.

21 Q. My question for you, sir, is that ad is

1 the same size as the Robb Tyler ad two over,
2 isn't it?

3 A. Yes.

4 Q. The address of North Point Trash
5 Removal and that ad, Exhibit 11, 306 North Point
6 Road, that is the correct address for your
7 brother's trash company, isn't it?

8 A. That is supposed to be where he had the
9 address there. I'm most sure it was 306. I told
10 you before I thought it was 306 and 318, one of
11 the two. When I was up here before I told you.

12 Q. The phone number down there for North
13 Point Trash Removal is the phone number in the
14 trailer, isn't it?

15 A. It could be.

16 Q. The phone number down there for if
17 there is no answer, that 228 number, that is
18 Fritz's house, isn't it?

19 A. Right.

20 Q. It says North Point Trash Removal,
21 office buildings, apartments, commercial, hotels,

1 restaurants, miscellaneous hauling, trash
2 collection, contract by the load anywhere any
3 time, we place containers.

4 A. Well, I don't know how he intended to
5 haul that or what he had.

6 Q. Can you give me any reason your brother
7 would have put these ads in the Yellow Pages year
8 after year if he wasn't running a trash company
9 with customers?

10 MR. STEWART: Objection to form. You
11 only showed him one year.

12 Q. Let's show him all the years. Let's
13 show him every single year.

14 If we can gather those up, I have got
15 copies for everyone.

16 MR. BRAGER: Could we go off the record
17 for a second.

18 (Discussion off the record.)

19 Q. Mr. Sauer, Exhibit 7 is the cover page
20 and one page out of the May 1965 Baltimore Yellow
21 Pages for May 1965. The little ad up in the top

1 right corner that says North Point Trash Removal,
2 all kinds of trash collected, contract by the
3 load, 306 North Point Road, 633-2056. If no
4 answer call 288-3265.

5 Exhibit 8 purports to be the cover page
6 and a page out of the May 1966 Baltimore Yellow
7 Pages with a display ad, North Point Trash
8 Removal, residential, commercial, industrial, all
9 kinds of trash collection, contract by the load
10 anywhere, any time, we clean basements and yards,
11 633-2056. If if no answer call 288-3265. 306
12 North Point Road.

13 Exhibit 9 purports to be the cover page
14 and a page out of the May 1967 Baltimore Yellow
15 Pages with a display ad in the bottom left-hand
16 corner, North Point Trash Removal, residential,
17 commercial, industrial. All kinds of trash
18 collection, contract by the load anywhere any
19 time, weekly in basements and yards, 633-2056.
20 If no answer call 288-3265, 306 North Point
21 Road.

1 MR. LINGAN: I'd like to makes a
2 correction on that, it is 306 North Point Road.

3 MR. BECK: Thank you.

4 Q. Exhibit 10 purports to be the cover
5 page and a page out of the May 1968 Baltimore
6 City Yellow Pages with a slightly smaller version
7 of the same ad. Exhibit 11, as we have
8 discussed, a cover page and a page out of the May
9 1969 Baltimore City Yellow Pages with the same
10 ad.

11 Exhibit 12 is a page out of the May
12 1970 Baltimore City Yellow Pages with the same ad
13 back to the larger size. And Exhibit 13 is a
14 cover page and a page out of the May 1971
15 Baltimore City Yellow Pages with the same display
16 ad.

17 After looking at those, Mr. Sauer, and
18 after seeing that year after year your brother
19 advertised North Point Trash Removal, office
20 buildings, commercial, miscellaneous hauling,
21 apartments, hotels, restaurants, trash

1 collection, contract by the load, anywhere, any
2 time, we place containers; does that refresh your
3 memory about your brother having perhaps more
4 than three containers?

5 A. No.

6 Q. Can you think of any reason your
7 brother would spend the money to put his ad in
8 year after year if he wasn't doing any better
9 than that?

10 A. I don't know what he put it in there
11 for. He didn't have the equipment to haul it and
12 he didn't have the help to haul it. Ain't no way
13 in the world you are going to put me cleaning a
14 basement out, I tell you that, or a yard. I
15 didn't do it for Robb Tyler and I didn't do it
16 for BFI and I wasn't going to do it for him.

17 Q. Did North Point Trash Removal clean
18 basements?

19 A. I don't know, not that I know of.

20 Q. Did North Point Trash Removal clean
21 yards?

1 A. No.

2 Q. Did North Point Trash Removal haul
3 trash for restaurants?

4 A. Not that I know of.

5 Q. Did North Point Trash Removal haul for
6 commercial buildings?

7 A. Not that I know of.

8 Q. Are these ads all just not true?

9 A. I don't know what they are, but I will
10 tell you right now. I don't care what you got
11 there, he didn't haul that kind of trash.

12 MS. CASANO: Let me just state an
13 objection to the extent that the advertisements
14 are not necessarily proof that the type of
15 hauling listed in there was actually performed by
16 North Point Trash Removal?

17 THE WITNESS: He didn't perform that
18 kind of work. He didn't have enough help. Where
19 were you going to get that kind of help with
20 three men.

21 Q. Can you explain why Fritz put that in

1 there?

2 A. I don't know, probably the telephone
3 woman came down there and probably swindled him
4 in to that. He didn't do all that work. If you
5 tell me to clean a basement you know what I'm
6 going to tell you, don't you. I'm not going to
7 go down and clean no yard or nothing.

8 You have to be equipped to do that kind
9 of work or these commercial buildings. You have
10 to have the right kind of equipment for that.

11 Q. Mr. Sauer, Exhibit 14 is a copy of the
12 deposition your brother gave September 13, 1972
13 in the case titled Manor Real Estate Company and
14 the Pennsylvania, Baltimore & Washington Railroad
15 Company against Albert Landay, C. L. Landay,
16 Edward Azrael, Howard Azrael and Frederick A.
17 Sauer, Jr., individually and trading as North
18 Point Trash Removal Service. It is in the
19 Superior Court of Baltimore City file No. 130535,
20 docket 1971 folio 1291.

21 I'm going to give you a few of the

1 things that your brother said. We talked about
2 **this** a little bit before and see if they are true
3 or false or if you know.

4 (Whereupon, Sauer Deposition
5 Exhibit No. 14, deposition of Frederick A. Sauer,
6 Jr. dated September 13, 1972, marked.)

7 Q. On page seven, sir, of his deposition,
8 your brother said that he started North Point
9 Trash Removal Service in, he said I think in
10 1965. Do you have any reason to think that year
11 is wrong?

12 A. I don't know when he started it.

13 Q. On the same page he said that before
14 that date he worked for Mario Annello & Sons in
15 the sewer contracting business?

16 A. I think he did work in the construction
17 business.

18 Q. On page nine of his deposition, your
19 brother said that when he worked for your father,
20 he sold metal to National Sash Weight
21 Corporation.

1 A. I don't know anything about that.

2 Q. You don't know one way or the other?

3 A. What year was that?

4 Q. It would have been before 1965 when he
5 worked for your father. Do you know one way or
6 the other?

7 A. No, I don't know. That has probably
8 been way back.

9 Q. On page 10, your brother was asked how
10 many trucks your father had and he said three.
11 He was asked if they were all painted one color
12 and he said no specific color. Do you know if
13 that is true or false?

14 MR. MASUR: Objection, compound.

15 A. How far are you going back?

16 Q. I don't know how far we are going
17 back. I'm trying to find out what your knowledge
18 is, whether it contradicts this?

19 A. I don't know.

20 Q. I will break that down now.

21 Do you know if your father had three

1 trucks?

2 A. I don't know.

3 Q. On page 10 of the deposition, your
4 brother testified in 1972 that they were not
5 painted a specific color. Do you know if that is
6 true?

7 A. It is a good possibility it was
8 whatever color he bought them, that is what they
9 stayed.

10 Q. On page 18 the question was asked of
11 your brother, did you buy that business,
12 referring to North Point Trash Removal Company
13 from anybody and he said no, just started it up.
14 Do you know if that is true or false?

15 A. That is the way it went.

16 Q. The question was asked, can you tell me
17 about your equipment, do you have trucks? And he
18 said yes, I have trucks. The question was how
19 many trucks do you have and he said five of them
20 on the road that is running. Do you know if that
21 is true or false?

1 A. I'd say roughly three running.

2 Q. So you disagree with five?

3 A. He could have had five but they was
4 junkers working on them or something like that.

5 MS. CASANO: You might want to clarify
6 the time period because the deposition is 1972
7 and it appears that that is the time that Fritz
8 is talking about, which would have been after.

9 A. I left, after I left. I'm only
10 answering these questions. I know what he is
11 saying there. He said '72. I was already with
12 Robb Tyler. I think I went with Robb Tyler in
13 '68 or '69 or '70 or '71, something like that.
14 I don't know. It has been so long back.

15 Q. Sir, did you know of a dump your
16 brother had behind his house on Lynhurst?

17 A. Not that I know of. He dumped dirt in
18 that I think. He had a little dump down there
19 and he dumped dirt on it.

20 Q. Do you remember anything else he
21 dumped?

1 A. No, I never went down there.

2 Q. Pages 27 and 28 of his deposition, your
3 brother testified that a check dated January 4,
4 1965 was the first rent check he ever gave Al
5 Landay. Do you know if that is right or wrong?

6 A. I don't know. I had nothing to do with
7 that. He rented that place from Al Landay.
8 Whatever him and Al Landay had together, I don't
9 know.

10 Q. I understand. I'm only trying to find
11 out if there is anything you know that
12 contradicts this deposition?

13 A. No, nothing I know.

14 Q. On page 28 and 29 of his deposition
15 your brother said the last rent check he ever
16 gave Al Landay was on July 22, 1969. Do you know
17 if that is right or wrong?

18 A. I don't know. That was controlled by
19 him.

20 Q. Page 33 of his deposition, your brother
21 said he had three full-time employees. Do you

1 know if that is right or wrong?

2 A. Yes, that is right. When?

3 Q. Actually that question refers to the
4 year 1965 to 1969 when he was dumping at Fritz's
5 dump?

6 A. Yes, that is Cefaloni, John Miller and
7 me.

8 Q. Yes, sir. Page 33 your brother said
9 his operation was five days a week except half a
10 day on Saturday also. Do you know if that is
11 right or wrong?

12 A. It depends. That is questionable
13 there. It depends on the way Robb Tyler was
14 running.

15 Q. Are you saying that your brother is not
16 right about that?

17 A. I'm saying that it wasn't no 12 o'clock
18 on a Saturday. If them Robb Tyler trucks was
19 jumping in there on you and they stayed running
20 until three or four o'clock on a Saturday, you
21 stayed there.

1 Q. Is that the correction you want to
2 make?

3 A. That is the way I'm going to make it.

4 Q. I appreciate that.

5 A. Now before he had Robb Tyler hauling in
6 there, maybe.

7 Q. Let me stand away from this for a
8 second and ask you, do you remember about when it
9 was that the fire occurred and you got arrested
10 and had to pay the \$50 fine?

11 A. No. I don't recall when it was. It
12 was dismissed. It was just a technical thing.
13 It was dismissed.

14 Q. Sir, on page 73 of your brother's
15 deposition referring to the North Point dump,
16 your brother was asked, "Did you ever cover the
17 trash up with fill dirt irrespective of the fire
18 that we talked about earlier," and the answer he
19 gave was, "I covered it with fly ash."

20 A. No.

21 Q. And the question was asked, "Where did

1 you do that?" And at the top of 74 he answered,
2 "As the day would go on." A little bit further
3 on he said, "Where would you get the fly ash,"
4 and the answer was, "It was hauled in to us." Is
5 that right or wrong?

6 A. To the best of my knowledge, and I told
7 you before when I was up here last, I was on that
8 landfill and if a fire did break out, but I don't
9 know where he got the fly ash. There was no fly
10 ash I can recall. Now I pushed fly ash. I know
11 what fly ash is.

12 I used it over at Robb Tyler's Landfill
13 and there is no way I seen any over there at
14 Fritz's Landfill, fly ash. And I'm going to tell
15 you right now, I don't think he knows what he's
16 talking about, and I will stick to that.

17 Q. Your brother was out at the North Point
18 dump every day, was he?

19 A. He was out there, but he don't know
20 what was out on that landfill and I don't recall
21 no fly ash coming on there.

1 Q. Fly ash isn't hard to identify is it?

2 A. No it is not. It's some mean stuff,
3 let me tell you. Because I know fly ash because
4 I worked in it approximately five to six years
5 over at Quarantine Landfill. He might have
6 covered it up with demolition and dirt that was
7 there that came in by the demolition trucks, but
8 no fly ash.

9 Q. Do you remember when the investigator
10 called you on the phone and talked to you and
11 then you went over and saw your brother.

12 I want to ask you about that
13 conversation you had with your brother. During
14 that conversation did your brother complain to
15 you about Mike Cefaloni?

16 A. No.

17 Q. Did your brother ever tell you what
18 things Mike Cefaloni had said?

19 A. No. I went down and talked to my
20 brother when that man called me on the telephone
21 and he asked me a lot of questions that I didn't

1 know whether I was to tell him or what, and that
2 is when I went down to my brother. And my
3 brother said that is none of your business, don't
4 worry about it.

5 That is just what he told me. And when
6 that man called me back, I would not talk to him
7 and that was that and if he is in here, I will
8 tell him the same thing.

9 MS. CASANO: He's not here.

10 THE WITNESS: You ain't got him here?

11 MS. CASANO: No.

12 A. That is the words that he told me,
13 don't worry about it, it's none of your business,
14 my brother. And here I am today.

15 Q. Mr. Sauer, I'm just about finished, but
16 I want to ask you to listen very, very carefully
17 to something because it is an important
18 question.

19 A. All right.

20 Q. In his deposition at pages 45 and 46
21 your brother was asked these questions and he

1 gave these answers.

2 "Question: Did you ever do any work
3 for Robb Tyler himself or his outfit?

4 "Answer: Yes, I picked up his trash.

5 "Question: He could call you and say,
6 Mr. Sauer would you pick up a load?

7 "Answer: Right.

8 "Question: You would be a
9 subcontractor then?

10 "Answer: Yes, only when he had a truck
11 broke down or something like that.

12 "Question: How often did you do this?

13 "Answer: Not very often."

14 Is that true?

15 A. Yes, it's true. He would go over there
16 and get a truck. He would get a truck. He would
17 borrow a truck. Now whatever kind of deal they
18 had together, I don't know. If I broke down with
19 a truck I was hauling my route with, he would get
20 on the telephone and call Tyler over there and he
21 would tell him bring him over here and they would

1 give me another truck until I got mine fixed and
2 if he needed another truck to help me out, he
3 would go get one and help me out.

4 Q. Sir, I don't think we are
5 communicating. Let me ask you to listen to this
6 again, because I want to make sure you understand
7 what your brother said.

8 A. I'm listening.

9 "Question: Did you ever do any work
10 for Robb Tyler himself or his outfit.

11 "Answer: Yes, I picked up his trash.

12 "Question: In other words he, that is
13 Robb Tyler, would call you and say, Mr. Sauer
14 would you pick up a load?

15 "Answer: Right.

16 "Question: You would be a
17 subcontractor, then?

18 "Answer: Yes, only when he had a truck
19 broke down or something like that.

20 "Question: How often did you do this?

21 "Answer: Not very often."

1 Is that true?

2 A. Yes, that is true. I know the
3 containers he picked up and I know the stop he
4 picked up. He picked it up himself. He would
5 bring it out and dump it out and take the
6 container back.

7 MR. BECK: I'm through, Mr. Sauer,
8 thank you.

9 THE WITNESS: Do you want to know the
10 stop?

11 MR. BECK: Somebody else may need to.
12 I'm done asking questions. It is somebody else's
13 turn. I have had you for plenty of time.

14 EXAMINATION BY MS.DOANE:

15 Q. Mr. Sauer, my name is Lee Doane and I'm
16 an attorney representing Exxon Corporation.
17 Exxon was known as Standard Oil at the time in
18 question.

19 A. Right.

20 Q. Now sir, do you remember when your
21 deposition was taken on Monday, October 14th of

1 Grummer's questions that confused you? You have
2 to wait for me to finish before you start.
3 Okay?

4 A. The question was about two containers
5 down at Esso, Standard Oil. He said that one
6 container in there was from my brother or
7 something that was in there and I said no, I
8 hauled them stops for Robb Tyler and I know what
9 two containers is in there. It is two open top
10 30-yarders is in Esso, Standard, Oil.

11 Q. Now, sir, you also said during your
12 deposition that Standard Oil was never a customer
13 of your brothers, is that correct?

14 A. Was never a customer of my brother's,
15 to my knowledge.

16 Q. And one of the reasons you stated in
17 your deposition that he was never a customer was
18 the fact that the contract was too big for him?

19 A. Too big for him to handle.

20 MR. GRUMMER: Objection,
21 mischaracterizes prior testimony.

1 Q. Was the contract too big for your
2 brother to handle?

3 A. It was too big for him to handle. He
4 did not have the equipment to do it with.

5 Q. Thank you.

6 Now when you picked up at Standard Oil
7 for Robb Tyler, you were employed as a driver for
8 Robb Tyler, is that correct, sir?

9 A. Right, Robb Tyler now.

10 Q. And were you in the union at that
11 time?

12 A. In the union, yes.

13 Q. So sir, I'd like to refer you back to
14 Exhibit 3 and let me find your name here. Here
15 it is at the bottom and it said you joined the
16 union 5-15-71, is that correct, sir?

17 A. Yes.

18 Q. So when you picked up from Standard
19 Oil --

20 A. It would have been after '71.

21 Q. After 1971?

1 A. Right.

2 Q. Thank you, sir. Now, you know for a
3 fact then that Standard Oil was not a customer of
4 your brother's, is that correct?

5 MR. GRUMMER: Objection,
6 mischaracterizes his prior testimony.

7 MS. DOANE: I will restate that.

8 Q. Do you know that for a fact?

9 A. I'm going to say that to the best of my
10 knowledge that Standard Oil was not a contract of
11 his unless he had something going that I didn't
12 know.

13 Q. Now, you made some statements, you were
14 asked some questions about Mr. Cefaloni and you
15 were asked some questions about Mr. Jendras,
16 Larry Jendras?

17 A. Yes, Larry Jendras, I know him.

18 Q. And Andrew Ragsdale.

19 A. Right.

20 Q. When you answered those questions, Mr.
21 Sauer, were you just speculating as to what they

1 might have done?

2 MR. GRUMMER: Objection. There is no
3 indication that he remembers what his prior
4 testimony was.

5 A. What are you talking about? What date
6 it said or what? State it so I can understand
7 what you are talking about.

8 Q. When you were asked questions about
9 where Mr. Cefaloni picked up and where he might
10 have taken materials, you don't know exactly
11 where he picked up or where he took things, do
12 you?

13 MR. GRUMMER: Object to the question.

14 A. No, I don't know. I don't know what he
15 had done with his truck. In other words, what
16 you are saying is do I know what he hauled in his
17 eight or ten hours, where he picked it up or
18 where he took it or what? I do not know that.
19 What I know is what I done with my truck for 10
20 hours.

21 Q. Okay, let me ask you the exact same

1 question about Mr. Ragsdale. You do not know do
2 you?

3 A. I don't know nothing about them other
4 drivers or where they went or whatever they done
5 or what.

6 Q. And the same is true about Larry
7 Jendras. The same is true for Mr. Jendras?

8 A. I don't know what he done.

9 Q. And the material that you picked up
10 from Standard Oil, you took to Norris Farms
11 Landfill, that is correct?

12 A. I took it to Norris' Landfill.

13 Q. One thing that you referred to on that
14 Monday when you had your deposition taken was the
15 fact that Atlas Tire Company was down around
16 Boston Avenue, is that correct, sir?

17 A. It's still there. It's sitting on the
18 corner of Boston Street, Boston and Clinton
19 Street. The container is still sitting there
20 where I used to pick it up. Schuman Trash
21 Company has it now and across the street where I

1 used to pick the other one up, they tore the
2 building down and the can is not there no more.

3 Q. And so you picked up from Atlas Tire
4 Company, is that correct?

5 A. It is some sort of a place they got in
6 there. Whatever it is, it is a big cement
7 building.

8 Q. And is it at the Atlas Tire Company
9 where I picked up the tires that you were talking
10 about?

11 A. Right, right, yes, yes. If it is Atlas
12 or whatever it is called in there, I don't know
13 what they do there. It seems like to me it is a
14 service depot that they service all their gas
15 stations out of this one building or something.

16 Q. This is Atlas Tire Company?

17 A. I imagine it is an Atlas Tire in there
18 or whatever it is, but all their old tires come
19 back there and they put them in these containers
20 and trash and whatever it is they put in that
21 container outside there.

1 Q. And to the best of your knowledge,
2 also, you said there was no Standard Oil between
3 Boston and O'Donnell Street, that it was Crown
4 Cork & Seal that was located there, is that
5 correct?

6 A. Between Boston and O'Donnell Street?

7 Q. Yes.

8 A. No. There are a couple of tanks up
9 there across where the loading dock is where you
10 load oil. There are a couple of tanks belonging
11 to Esso, I imagine, but I don't know for sure. I
12 don't know for sure if they are their tanks or
13 whose they are or what but other than that, the
14 brewery is along there and then on down is Crown
15 Cork & Seal in between the two roads.

16 MS. DOANE: Okay, thank you, sir. I
17 think that is all.

18 EXAMINATION BY MR. GRUMMER:

19 Q. Hi, Mr. Sauer. My name is Mark
20 Grummer. I asked you a few questions before. I
21 represent General Motors. I believe you

1 testified just now that you were not really
2 certain if Standard Oil was a customer of your
3 brother's or not, is that correct?

4 MS.DOANE: Objection. That is not what
5 he stated at all.

6 A. No. I said when I hauled it, it was a
7 Robb Tyler stop. My brother was not big enough
8 in business with the containers or the equipment
9 or what to handle Standard Oil. It was too big
10 of a stop. He could not handle it.

11 Q. You said when you hauled it --

12 A. When I hauled it I was working for Robb
13 Tyler in 1971, '72 or '74 or whatever it was.
14 That is when I hauled Standard Oil.

15 Q. At that time your brother was not
16 operating the North Point dump was he?

17 A. He wasn't operating the dump.

18 Q. What I think we want to know about is
19 before that time?

20 A. He wasn't hauling it then.

21 Q. How do you know he wasn't hauling it?

1 A. Because he didn't have the truck to
2 haul it with. When he closed the dump is when he
3 got the truck to haul the big 30-yard
4 containers.

5 Q. Which was the bigger stop, Standard Oil
6 or Western Electric?

7 A. Western Electric was but Standard Oil,
8 Western Electric loaded with hoppers. It was a
9 thing made like this and you rolled the hopper
10 under it and you hooked it on there and picked it
11 up and it dumped it in the truck, the hopper
12 dumped in the truck.

13 But Standard Oil had to have containers
14 all set around and you left them there for maybe
15 a week or two weeks at a time until he got it
16 loaded.

17 Q. Your brother hauled containers didn't
18 he?

19 A. What did he have, three containers.
20 How are you going to do a big stop with three
21 cans.

1 Q. On October 14th, I believe you
2 testified several times that when you picked up
3 from Standard Oil, you were working for Fritz?

4 A. No.

5 MS.DOANE: Objection, you are badgering
6 the witness. He stated on page 199, page 201,
7 202 and page 219 that Standard Oil was not a
8 customer of Fritz's. It was a customer of Robb
9 Tyler. I don't see how the man can say it any
10 plainer. He stated it here again today and I
11 think you are badgering him and trying to confuse
12 him and get him to change his testimony.

13 MR. GRUMMER: I think you are
14 mischaracterizing the question I asked. I didn't
15 ask whether Standard Oil was a customer. I'm
16 referring to your prior testimony that when you
17 picked up for Robb Tyler, you were working for
18 Fritz.

19 A. When I picked up for Robb Tyler, I was
20 working for Fritz. Picked up Esso Standard Oil
21 for Robb Tyler, I was working for Fritz, no, I

1 wasn't. I was working for Robb Tyler, because I
2 took it to Norris' Landfill.

3 Q. We can go back over it.

4 A. You can go back over whatever you want.

5 Q. We can go back over it, because you
6 were very emphatic in telling me that when you
7 picked up for Standard Oil you were working for
8 Fritz.

9 A. No, I was working for Robb Tyler.

10 MS.DOANE: Objection to the
11 characterization, he was not very emphatic. In
12 fact, he had said it previously four times.

13 Q. I'd like to read back a section of your
14 prior testimony. I'm looking at page 227 of the
15 transcript of your prior testimony starting at
16 line 12 and going through line 19.

17 "Question: Did you do that from the
18 time you started working with Robb Tyler, were
19 you picking up at Standard Oil when you first
20 started?

21 "Answer: I think I picked it up for

1 Robb Tyler when I was working for Fritz too, both
2 when I got hired at Robb Tyler's I was classed as
3 an experienced man because I drove that type
4 trucks and I knew what the stops was."

5 Then I'd like to read a section
6 beginning on page 232 at line 16 and continuing
7 to page 233, line seven.

8 "Question: So, you were picking up at
9 Standard Oil when you worked for Fritz.

10 "Answer: How many times do I have to
11 tell you that?

12 "Question: I'm simply trying to ask --

13 "Answer: I told you that I picked it
14 up for Fritz, but it was a Robb Tyler stop.

15 "Question: I understand that.

16 "Answer: I had Fritz's truck and I had
17 Robb Tyler's truck. I worked for Fritz. I
18 picked it up and dumped it. When I quit Fritz I
19 had Robb Tyler's truck and I picked it up and
20 dumped it. How many more times I got to tell
21 you?" Weren't you telling me on that occasion

1 when you picked up for Fritz you picked up
2 Standard Oil.

3 A. You have had me confused. You are
4 confused what I drove. You get on the telephone
5 and call Bill Davis. There were two types of
6 containers that we had over there at Robb
7 Tyler's. There was a Huge Haul that was pulled
8 on with a cable and then there was a Dinosaur
9 that is pulled on with hydraulic.

10 Fritz had a hydraulic Dinosaur. A
11 Dinosaur will not pull a Huge Haul can. And the
12 Esso Standard Oil had Huge Haul cans in it. And
13 the only one that had them trucks was Robb
14 Tyler.

15 Q. Was that the only type of container
16 they had?

17 A. That was the only type container that
18 was in there was a Huge Haul.

19 Q. That is the only type?

20 A. That was the only type that was in Esso
21 Standard Oil because I run a Dinosaur and a Huge

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Haul and I run a front loader.

Q. Was that the only type of container they had or the only type you hauled?

A. I hauled both types. I drove both type trucks but when I worked for Robb Tyler I hauled that container out of Esso was a Huge Haul container there and it was pulled on by a cable.

Q. And you are telling me the only type of container that the entire Standard Oil facility had was that Huge Haul container?

A. That was the only one that I hauled. I don't know what else they had through the plants. That was the only kind I hauled.

Q. So they could have had other types of containers?

A. I don't know what they had. I never went nowhere else other than these two locations.

Q. It would help us move more quickly if you let me finish my question before you answer?

A. Right.

Q. I take it you don't know whether they

1 had other types of containers at Standard Oil
2 other than the types that you hauled?

3 A. Other types.

4 Q. You don't know if they had other types
5 or not?

6 A. I only know these two locations. I
7 don't know what they had through Standard Oil, I
8 don't know. I'm only talking about these two
9 locations that I hauled from.

10 Q. When you say these two locations, you
11 mean these two locations at Standard Oil?

12 A. At Standard Oil, right. Now whatever
13 they had through the other places, I don't know.

14 Q. You so you don't know what other types
15 of containers they might have had?

16 A. No, I don't.

17 Q. And I take it you don't know who might
18 have been hauling those other types of
19 containers?

20 A. If it was, it was Robb Tyler's stop.
21 It was a Robb Tyler contract and it had to be

EXHIBIT
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1 Robb Tyler hauling it.

2 Q. Who was hauling Standard Oil during the
3 period before you started working for Robb
4 Tyler?

5 A. Robb Tyler's drivers.

6 Q. How do you know that?

7 A. Well, someone had to haul it.

8 Q. How do you know it wasn't Fritz?

9 A. I don't know. Fritz didn't haul it
10 because he didn't have that type truck.

11 Q. Fritz could haul 30-yard containers
12 didn't he?

13 A. 30-yard Huge Haul and 30-yard Dinosaur
14 is two different type containers. They won't
15 work on the same truck. One pulls on by cable
16 and one pulls on by hydraulics.

17 Q. Do you recall this morning before your
18 deposition began we were sitting over by the wall
19 there and Ms. Doane and I were talking to you?

20 A. Yes.

21 Q. Did you say something about maybe Fritz

1 had a trash container at Standard Oil?

2 MS.DOANE: Objection. Go ahead.

3 A. I think you are the one that said he
4 had a trash container.

5 Q. No, I didn't say that?

6 A. Yes, you did. You said it the last
7 time I was here.

8 Q. I'm asking you if you recall anything
9 about a trash container?

10 A. You said he had a container that was
11 sitting in there. I said it is a possibility he
12 could have been hauling steel out of there. That
13 is what you told me the last time I was here.
14 You said that he had some kind of big can that
15 was sitting in there.

16 MS.DOANE: Objection, the question
17 calls for pure speculation on the part of the
18 witness.

19 A. I said he could have been hauling scrap
20 steel out of there or Cambridge Iron and Metal
21 but I don't know when you are talking about

1 though.

2 Q. So, I take it your testimony today is
3 that you never went to Standard Oil while you
4 were working for Fritz?

5 A. No, I never went to Standard Oil while
6 working for Fritz.

7 Q. And if you said before that you did,
8 you were confused?

9 A. If I told you before, or you say I did,
10 I was confused. You had me mixed up or you mixed
11 it all up or whatever has happened.

12 Q. Mr. Sauer, I don't think I mixed you
13 up. I think in the portion of the transcript I
14 read you were telling me where you hauled and
15 where you dumped. If you never went there, how
16 do you know who was hauling their stops?

17 A. How do I know, that was a Standard Oil
18 stop for years that Robb Tyler had. I heard
19 other drivers talking about hauling Standard Oil
20 stops. That is how I knowed where the containers
21 was. When I went to haul it I asked the other

1 the other drivers where is these containers and
2 the other drivers would tell you just where to
3 go.

4 That is how a trashman knows where to
5 go if you don't know where the stop is, you ask
6 another driver, and if he don't know you keep
7 asking down the line. One of them will tell you
8 where that can is at and how to go get it.

9 Q. But you only picked up one type of can
10 there, isn't that right?

11 A. With the truck that Fritz had, one
12 type was a Dinosaur can. That is a ratchet. It
13 is a hydraulic thing that goes under and pulled
14 it on.

15 The one that I said was at Standard Oil
16 was a cable. You hook a cable on it and it pulls
17 it on.

18 Q. You just said the truck that Fritz
19 had --

20 A. Was a hydraulic.

21 Q. And were you just saying that they used

1 that truck to pick up cans at Standard Oil?

2 A. No.

3 MS.DOANE: Objection. I don't
4 understand why you continue to badger the witness
5 like this. He came here today to correct his
6 testimony.

7 THE WITNESS: I told you. I'm telling
8 you it is two type trucks that Robb Tyler had.
9 Robb Tyler had two types. Fritz had one type.
10 His would only pick up a 30-yard Dinosaur.

11 Q. Fritz's trucks could pick up six-yard
12 containers, couldn't they, eight-yard
13 containers?

14 A. One truck he had could pick up a six or
15 eight-yard container.

16 Q. And didn't Standard Oil have containers
17 of that type?

18 A. No, not to my knowledge. The only ones
19 that I ever hauled out of there was 30-yard Huge
20 Hauls.

21 Q. I understand it was Huge Hauls but what

1 about what other people hauled?

2 MS. DOANE: Objection, pure
3 speculation.

4 A. I don't know what other people hauled.

5 Q. So you are not familiar with what they
6 hauled?

7 A. I don't know. You would have to ask
8 Robb Tyler.

9 Q. Do you know what type of containers
10 Standard Oil had in 1960's? Do you know anything
11 about that?

12 A. In the '60s?

13 MS. DOANE: Objection.

14 Q. You don't know that?

15 A. No. I didn't haul there until '71.

16 Q. So you have no idea what type of
17 containers they had there in the '60s?

18 A. No. No.

19 Q. Then how do you know Fritz could not
20 have been hauling the containers?

21 A. He couldn't have hauled it with the

1 truck he had. How is he going to haul it?

2 Q. But you just said a moment ago that you
3 don't know what type of containers they had
4 during the '60s?

5 A. I don't know what they had in the '60s
6 but I know what they had in there when I hauled.

7 Q. And that was in the '70s, you just
8 testified?

9 A. That was in the '70s but a light stop
0 like that you never put a heavy Dinosaur can in
11 it. A Dinosaur can goes in where you have 15 or
12 20 ton. You put 20 ton in that can or 15 ton in
13 that can, you can pick it up. A Huge Haul won't
14 pick up no more than five, six, seven tons.

15 Q. Mr. Sauer, I understand that. I
16 understand that. You said Standard Oil was too
17 big for one company?

18 MS.DOANE: Objection,
19 mischaracterization.

20 Q. Too big for one company to haul.

21 A. It is too big for a small outfit. A

1 small outfit that don't have enough equipment
2 can't go get a big contract like that. You have
3 got to have a big company like Robb Tyler or
4 bigger that has got plenty of equipment.

5 Q. It is possible that two companies could
6 be hauling from the same stop at once, wouldn't
7 they?

8 A. No, they wouldn't split no contract.

9 Q. How do you know that?

10 A. I'm just guessing.

11 Q. You are just guessing?

12 A. Right.

13 Q. Do you know what arrangements Standard
14 Oil had in the 1960's?

15 MS.DOANE: Objection.

16 A. No. I don't know them people's
17 business.

18 Q. Do you know whether Standard Oil had a
19 contract with your brother?

20 A. No, I never hauled it with my brother.

21 Q. That is why you think they didn't have

1 a contract with your brother because you never
2 hauled it?

3 A. In the '60s?

4 Q. Yes.

5 A. What time in the '60s are you talking
6 about?

7 Q. At any time before your brother closed
8 his operation at North Point landfill?

9 A. I'm trying to think when he bought that
10 truck.

11 Q. Which truck are you referring to?

12 A. The one that picked up the big
13 containers: I don't think he had a truck to pick
14 up them cans down there until he got one. He
15 couldn't have been hauling it. He couldn't haul
16 it with open trucks because you had an open load
17 ban and he didn't have a container truck. I
18 don't know when he got that container truck.

19 Q. He could haul eight-yard containers
20 couldn't he?

21 A. He could haul eight-yarders.

1 Q. He could haul 30-yard containers
2 couldn't he?

3 A. That was later. I would say around
4 roughly about '65 or around that date is when he
5 bought this truck.

6 Q. And that truck that you are referring
7 to that he bought in 1965 could haul 30-yard
8 containers, couldn't it?

9 A. 30-yard containers.

10 Q. And you don't know what kind of
11 containers Standard Oil had in the '60s, do you?

12 A. In the '60s, no, I don't.

13 Q. And you don't know what arrangements
14 Standard Oil had for disposal of it's trash in
15 the '60s, do you?

16 A. No, I don't.

17 Q. And you don't know if Standard Oil had
18 a contract with your brother, do you?

19 A. No, I don't. Not with my brother but
20 I'm mostly sure they had it with Robb Tyler.

21 Q. You are mostly sure he had a contract

1 with Robb Tyler in the '60s?

2 A. Yes, they had to because he was the
3 only one that was big enough to handle it.

4 Q. Why are you certain that he could not
5 have had a contract with your brother at the same
6 time?

7 A. I'm not certain of that.

8 Q. You are not certain of that?

9 A. No.

10 Q. So it is possible he could have had a
11 contract with your brother?

12 MS.DOANE: Objection, calls for
13 speculation.

14 A. I doubt it.

15 Q. Why do you doubt it?

16 A. Because usually when a company gets a
17 contractor in there, a big, well-known contractor
18 to haul their trash, they don't come in and get
19 some little jive contractor that has got one or
20 two trucks and give him half of the contract.
21 They give it all to the big man.

1 Q. What you're describing, has that been
2 true at all times or has that only been true in
3 recent years?

4 A. That has always been true. You don't
5 split contracts. They always give it to the
6 biggest man and the man who is big enough to
7 handle it. You can't get a small contractor to
8 go out here and bid a big contract. It won't
9 work if he ain't got the equipment. He can't
10 fulfill the contract.

11 Q. As you recall, on October 14th I read
12 you some transcript sections from Mr. Jendras and
13 Mr. Ragsdale where they said that Standard Oil
14 was a customer of Sauer's.

15 A. Well, that is one on me, buddy.

16 Q. And that that was true at the same time
17 that it was a customer of Robb Tyler's.

18 MS.DOANE: Objection.

19 Q. Is it possible that Standard Oil
20 simultaneously was a customer of your brother's
21 and of Robb Tyler's?

1 A. Not that I know of.

2 Q. But you are not certain that that
3 wasn't the case?

4 A. It ain't no way in the world it could
5 happen. I'm just going to say no. I don't
6 know.

7 Q. You don't know?

8 A. I don't know. But I know what I hauled
9 out of there, when I hauled it, and who I hauled
10 it for, and who I worked for.

11 Q. But you don't know what other people
12 hauled do you?

13 A. No, I don't.

14 Q. You don't know what Mike Cefaloni
15 hauled do you?

16 A. No, I don't.

17 Q. And you don't know what Fritz Sauer
18 hauled either do you?

19 A. No, I don't but whatever he hauled, he
20 had to have the truck that I had if he hauled a
21 30-yard container.

1 Q. What if he was hauling an eight-yard
2 container?

3 A. An eight-yard container, it was very
4 little you could get in an eight-yard can. That
5 was only small, mostly for restaurants or little
6 office buildings or something like that,
7 eight-yard. You fill it yourself.

8 He only had about, I would say four or
9 five of them if he had them. There were little
10 small ones. He didn't have no big operation with
11 trucks.

12 The man who got the work was Robb
13 Tyler. That is why he gave you the work. He had
14 so much he couldn't handle it all.

15 Q. During the '60s when you worked for
16 Fritz, you picked up for a number of Robb Tyler
17 customers, isn't that correct?

18 A. Right.

19 Q. But you never picked up for Standard
20 Oil?

21 A. No, because I didn't have that type of

1 truck. The trucks they had was a cable truck and
2 I think he only had three of them.

3 Robb Tyler had them, was the only one
4 who had the three called the Huge Haul. That is
5 what they called them, pulled on by cable.

6 Q. Do you know whether companies such as
7 Standard Oil had signed contracts with their
8 hauling companies?

9 A. I don't know nothing like that.

10 MR. BECK: Is there enough additional
11 testimony that it would make sense for us to have
12 a lunch break and complete the deposition after
13 lunch. It is 12:20 now.

14 MS. CASANO: I think that is definitely
15 the case.

16 MR. BECK: It seems to me that that is
17 likely.

18 MS. CASANO: I thought we would finish
19 the Exxon area and then take a break.

20 MR. BRAGER: Does that mean you have
21 some questions.

1 MS. CASANO: I have some redirect and
2 I have the feeling that we have the whole BFI
3 part to go through and depending upon the
4 answers I have 15 minutes to a half an hour of
5 redirect.

6 MR. BLEICHER: I don't think we will
7 take very long, actually, but it will certainly
8 have to be after lunch.

9 MS. CASANO: Right.

10 Q. Do you know what Robb Tyler driver had
11 the Standard Oil stop?

12 MS. DOANE: Can we clarify the time
13 period here?

14 Q. I'm talking about at any time?

15 A. I knew his name. I can't think of his
16 name right now. Let's come back to that and I
17 will give you his name who hauled that daggone
18 Standard Oil.

19 Q. I take it when you took over Standard
20 Oil?

21 A. I will tell you who hauled that. Go

1 on, I will get back to you. I will sit here and
2 think of his name. I think he's dead right now.

3 Q. If you think of the name, please tell
4 me, but are you referring to someone who had the
5 stop immediately before you had it?

6 MS. CASANO: Mark, if I could
7 suggest --

8 A. Earl Boswell had that stop, Earl
9 Boswell run that stop. In fact, Earl Boswell
10 worked for Standard Oil and he quit Standard Oil
11 and went with Robb Tyler and he owned his own
12 truck. That is who run that Standard Oil. Don't
13 tell me. I remember that, Earl Boswell.

14 Q. Is Boswell the driver you worked for?

15 A. No, he worked for Robb Tyler and he run
16 out. He was a self-employed, owner/operator and
17 he run Standard Oil all the time. The only two
18 we had in there was them two big containers.

19 Q. Was Boswell the driver that had that
20 stop just before you took it over?

21 A. No, no, no, no.

1 Q. Can you remember?

2 A. The way I heard it, he had it for
3 years. He hauled that stop, Boswell.

4 Q. Boswell did.

5 A. He used to haul it. Now whatever he
6 hauled from Standard Oil, I don't know. But
7 then when Boswell got sick, Robb Tyler put the
8 bigger containers in, but them two thirties in
9 there.

10 Q. When did Boswell get sick, what year?

11 A. I don't know. It was around the time
12 that I was over there he got sick and he passed
13 away. He had his own truck. He was an
14 owner/operator. He used to haul that Standard
15 Oil all the time.

16 Q. When Fritz's dump was open, was Boswell
17 the driver that had the Standard Oil stop?

18 A. I don't know. I don't know for sure.
19 I don't know if he hauled in Fritz's or not. I
20 will tell you the truth.

21 Q. What I'm asking you is did Boswell haul

1 from Standard Oil during the time Fritz's dump
2 was open?

3 A. I don't know.

4 Q. But I take it Boswell hauled from
5 Standard Oil before you started hauling from
6 Standard Oil?

7 A. Oh, yes, yes.

8 Q. And you started hauling from Standard
9 Oil?

10 A. I worked for Fritz. Boswell, that must
11 have been his stop. When I turned around and
12 went to work for Robb Tyler and run different
13 trucks back and forth, that is when I started
14 hauling Standard Oil.

15 Q. Can you tell me approximately what year
16 you started hauling from Standard Oil?

17 A. No, I don't know.

18 Q. I believe you said earlier that you
19 started working for Robb Tyler in 1970?

20 A. That is when they got me going in the
21 union here. In 1971 I went in the union, but I

1 worked for him two or three years with not being
2 union. I wasn't in the union then.

3 Q. When did you stop picking up stops?
4 When did you start driving a truck?

5 A. '72 or '73, somewhere around in there,
6 because I was on the landfill running the dozer
7 when I went to work for him.

8 Q. So you started working for Robb Tyler
9 in 1970 and you ran the dozer on the landfill for
10 a couple of years?

11 A. Yes. Then I switched over and went to
12 driving trucks.

13 Q. And when you switched over and started
14 driving trucks, was that when you started picking
15 up stops?

16 A. Picking it up with the truck. That is
17 when I got off the dozer and got on the trucks.
18 That is when I started driving Standard Oil and
19 went over to Norris' Landfill.

20 Q. The first time you hauled Standard Oil
21 was two or three years after you started working

1 for Robb Tyler?

2 A. Approximately that.

3 Q. During the two years in between, the
4 two years or so from 1970 to 1972, you were
5 driving a bulldozer on the landfill, I take it?

6 A. Between what?

7 MS.DOANE: Objection, mischaracterizes
8 the testimony.

9 A. You mean between '68, '69, something
10 like that?

11 Q. No, no, no. From the time you started
12 working at Robb Tyler for the next year or two?

13 A. You have got it wrong again. Say '68,
14 '69 or '70, I was over there covering the
15 landfill. I was putting the top coat on it for
16 Robb Tyler but I was not in the union.

17 Q. I understand. So there was a year or
18 two when you were putting the cover on the
19 landfill?

20 A. Right.

21 Q. And during that time you were not

1 picking up stops?

2 A. No, I wasn't picking up no stops. I
3 was running a double barrel pan, big UKE.

4 Q. Did you know who was picking up various
5 stops at that time?

6 A. No. How am I going to know that and
7 I'm running a bulldozer and a pan over there
8 covering the landfill.

9 Q. So after that period ended, the period
10 when you were putting on the final cover, then
11 you started picking up stops again?

12 A. No, then I moved from there and went to
13 Quarantine, run a dozer on the Quarantine
14 Landfill. Then after I got tired of that, then I
15 asked to be transferred onto the trucks. Then
16 after I got on the trucks that is when I started
17 picking up the stops.

18 Q. Do you think that might have been about
19 1972 or 1973?

20 A. I don't know when it was.

21 Q. But in any event that was when you

1 first picked up at Standard Oil?

2 A. '70 what?

3 Q. '72 or '73.

4 MS. DOANE: The witness already
5 testified it was after 1971.

6 Q. But it was after you finished working
7 at Quarantine?

8 A. It had to be around '72, '73 or '74,
9 something around that period of time when I
10 started picking up Standard Oil.

11 Q. Do you know what driver had Standard
12 Oil before you?

13 A. I just told you Boswell had it.

14 Q. I thought you told me you weren't
15 positive it was Boswell?

16 A. Boswell had that stop.

17 Q. Did he have it right up to the time you
18 started picking it up?

19 A. I don't know who had that stop. I got
20 a ticket one day and he said go to Standard Oil
21 and pick up the stop. It is a Huge Haul. Take

1 an empty Huge Haul with you, set it off and pick
2 the loaded up with you and come on back. It is a
3 cable job.

4 Q. A few questions ago, you described
5 Standard Oil changing to a Huge Haul, is that
6 correct?

7 A. What?

8 MS. DOANE: Objection.

9 Q. You mentioned some change to a Huge
10 Haul?

11 A. It was a Huge Haul container in there.

12 Q. When you were describing to me about
13 Boswell, you mentioned something about changing
14 to a Huge Haul. Who changed?

15 A. If Boswell would have had that stop in
16 there, it would have been eight-yard containers
17 in there. He had Esso, Standard Oil. It would
18 have been eight-yard Dumpsters in there.

19 Q. So Boswell hauled eight-yard Dumpsters
20 in there?

21 A. Right, the ones with the chains on

1 the back. But if I went in there and hauled it,
2 it was a 30-yarder, open top 30, either a Huge
3 Haul or a Dinosaur. It had to be one of them
4 two.

5 Q. What made the difference as to whether
6 it was a Huge Haul or a Dinosaur?

7 A. Because you wouldn't but a Dinosaur can
8 in a light stop.

9 Q. But it could be either one?

10 A. You could put either one in there if
11 you had plenty of cans. You could put a Dinosaur
12 can in there.

13 Q. Did Standard Oil use either kind?

14 MS. DOANE: Objection.

15 A. Yes, they could use either one. You
16 could get either one you wanted in there but you
17 weren't going to turn around and put a 30-yard
18 Dinosaur can in a stop that has only bought maybe
19 one or two ton in it and take and put a Huge Haul
20 can in there where you are going to put a 15 ton
21 in there because the truck won't pick it up.

1 MS. DOANE: Objection. Mr. Sauer
2 previously stated he did not know what type of
3 containers were in Standard Oil and these
4 questions are pure speculation as to what kind of
5 cans are in there, who picked them up, when they
6 might have been picked up. No years have been
7 established. All these questions call for
8 speculation. Mr. Sauer's testimony on the record
9 was that he did not know what kind of containers
10 were in Standard Oil's property.

11 Q. But you did say Boswell had a
12 Dumpster?

13 A. He used to have a Dumpster truck.

14 Q. That is not speculation?

15 A. No, he used to have a Dumpster truck
16 that used to pick up an eight-yard container.
17 That is it.

18 Q. From Standard Oil?

19 A. From Standard Oil.

20 Q. You mentioned 30-yard Dinosaurs?

21 A. Right.

1 Q. Fritz had a truck that could haul
2 30-yard Dinosaurs, didn't he?

3 A. Right.

4 Q. Who drove that truck for Fritz?

5 A. 30-yard Dinosaur, me. That is, when I
6 went over Robb Tyler's, I was experienced. Then
7 later on he sold Robb Tyler that truck.

8 Q. Could I ask the reporter to please read
9 back the section of the transcript I asked to be
10 marked earlier.

11 (The record was read by the reporter.)

12 Q. Mr. Sauer, in that section of
13 transcript when you said you never hauled to Quad
14 Avenue, can you tell me what period of time you
15 were referring to?

16 A. I don't know where you got that at. I
17 told you when I hauled for Fritz and he didn't
18 have a landfill, where else was we going to take
19 this trash. You had to go to Quad Avenue with
20 it, Robb Tyler's Landfill.

21 Q. That section of the transcript that the

1 reporter just read to you, do you remember those
2 questions and giving those answers this morning?

3 A. I don't remember giving those answers
4 but I did haul to Reliable and I hauled to
5 Quarantine and I hauled to Quad Avenue. I hauled
6 to Quad Avenue more frequently than I did to
7 Quarantine or Reliable.

8 Q. Were you referring, when you gave that
9 answer to the period when no Robb Tyler landfill
10 was open?

11 A. When no Robb Tyler landfill was open?

12 Q. Yes.

13 A. No, I'm talking about when his landfill
14 was open.

15 Q. So when you said you didn't haul to
16 Quad Avenue in that previous answer, you don't
17 remember what you were referring to?

18 A. No, I don't. I don't recall what you
19 was talking about.

20 Q. Well, I wasn't talking about anything.
21 I was asking you if you recalled what you were

1 talking about.

2 A. Well, when Robb Tyler had his landfill
3 open on Quad Avenue, it was the only one open on
4 this side of town was the Quad Avenue Landfill.
5 That is where everybody hauled.

6 Q. Mr. Beck asked you a question in
7 response to which you said something about
8 knowing who was whose customer.

9 A. Who is whose customer. He asked me if
10 I knowed who was hauling on the landfill of
11 Fritz's, what the trucks was, whose trucks was
12 whose. I don't know whose trucks was who. They
13 come in there, how do I know who was who.

14 Q. I think the question had to do with
15 Container Corporation and Crosse & Blackwell?

16 A. Oh. I think he asked me if --

17 Q. Let me ask you a question.

18 A. Ask me.

19 Q. You don't really know whose customer
20 they were, do you?

21 A. I'm almost sure they were Fritz's

1 customers. I don't know for sure.

2 MS. CASANO: Mark, are you getting away
3 from Exxon related questions now?

4 Q. Well, it was going to loop back to
5 Exxon questions.

6 Are you saying with those questions you
7 don't know what kind of arrangements they had
8 with Fritz?

9 A. No, I don't. I had no control over
10 that.

11 Q. Do you know if Standard Oil had any
12 arrangements with Fritz?

13 A. No, I don't.

14 MR. GRUMMER: Thank you. I don't have
15 any other questions.

16 MS.DOANE: I do have a little follow
17 up. Do you want to do it now or after lunch?

18 MS. CASANO: Why don't we finish.

19 EXAMINATION BY MS.DOANE:

20 Q. Mr. Sauer, you have just been asked to
21 speculate about a lot of things and one of the

1 things you were asked about was who Standard Oil
2 had a contract with during the '60s to pick up
3 trash. Do you know who Standard Oil had a
4 contract with during the '60s? Do you have any
5 personal knowledge, sir?

6 A. To the best of my knowledge, I would
7 say they had a contract with Robb Tyler.

8 Q. But do you know that for a fact, sir?

9 A. No, I don't know nothing for a fact,
10 but I'm going to speculate that that was the
11 biggest contractor around that could handle them
12 and I'm going to say that they had that contract
13 with Robb Tyler.

14 Q. And that is your best speculation, is
15 that true, sir?

16 A. That is the best of my knowledge
17 because ain't nobody could handle that contract
18 with these big companies.

19 Q. You also were testifying about Mr.
20 Boswell and at various times you said if Mr.
21 Boswell had a stop or the way I heard it, I wrote

1 this down when you were talking about it.

2 A. Right.

3 Q. Is that true to the best of your
4 speculation that Earl Boswell might have had --

5 MR. GRUMMER: I object to the form of
6 that question.

7 A. Might have picked up from Standard
8 Oil?

9 A. To the best of my knowledge.

10 Q. Did you ever see Mr. Boswell on
11 Standard Oil property?

12 A. I can't make no statements to that
13 because it has been so long, I cannot make no
14 statement on it, but I will say that Boswell did
15 haul Standard Oil.

16 Q. Now how do you know that, sir? You
17 said you heard it?

18 A. Because I had talked to Boswell when I
19 worked out the dozer over at Robb Tyler's
20 Landfill and Boswell used to have the Standard
21 Oil contract.

1 Q. And Mr. Boswell told you this, sir?

2 A. He was hauling Standard Oil. That is
3 what he was hauling.

4 Q. This is very important, Mr. Sauer. Do
5 you know this of your own personal knowledge?
6 You never saw a piece of paper in which Mr.
7 Boswell and Standard Oil had a contract, is that
8 correct, sir?

9 A. No, I have never seen a paper, no proof
10 or nothing.

11 Q. And you can't state that you ever saw
12 him on Standard Oil property?

13 A. No, no. But I can state that I was on
14 Standard Oil property.

15 Q. Right. And you were on Standard Oil
16 property at some point after 1971, is that
17 correct, sir?

18 A. Right. Right.

19 Q. And is it correct, sir, that you do not
20 remember at what point in time you took over at
21 Standard Oil? You said it could be '71, '72, '73

1 or '74, is that correct, sir?

2 MR. GRUMMER: I object. That
3 mischaracterizes his prior testimony?

4 A. I can say it had to be after '72 or
5 '73, somewhere around there. Now, I never run
6 that stop steady. It was only whenever it came
7 up when the dispatcher would give me that stop
8 and say go get Standard Oil, go get this, go get
9 that, go get this. That was it or called on the
10 radio or whenever it was.

11 Q. I can finish this real quickly. So
12 when you stated that other drivers had told you
13 where to go to pick up the container, do you not
14 have any personal knowledge how long Robb Tyler
15 had that contract with Standard Oil?

16 A. No, I don't. No.

17 MS.DOANE: Thank you, sir.

18 MS. CASANO: I could be totally off
19 base, but I have some concern about being able to
20 finish today. Why don't we just take a 45 minute
21 break and resume. It's about 12:40 by my watch.

1 Let's meet back here at 1:30.

2 (Luncheon recess -- 12:40 to 1:30 p.m.)

3 EXAMINATION BY MR. MASUR:

4 Q. Mr. Sauer, my name is Dan Masur and I
5 represent the City of Baltimore.

6 This morning, counsel for BFI asked you
7 about Deposition Exhibit 2 which was your
8 application for employment. Do you recall that?

9 A. Yes.

10 Q. Do you recall whether -- am I correct
11 this was completed for you by your wife?

12 A. Right.

13 Q. Do you recall whether she did that at
14 the time you were first brought in to put the
15 cover on Quad Avenue or might she have done this
16 at the time that you began driving a bulldozer at
17 Quarantine Road?

18 A. No. She done that when I was covering
19 the landfill over. That is when I was hired when
20 I was covering the landfill at Quad Avenue.

21 Q. So that is when this would have been

1 completed?

2 A. Right.

3 Q. And you are quite sure of that?

4 A. Yes.

5 Q. Do you recall having testified earlier
6 about there being a strike involving trash
7 haulers for the City of Baltimore?

8 A. Yes, it was a strike.

9 Q. And you said that during that time, if
10 I recall correctly, during that time, you as a
11 BFI driver, were picking up at various trash
12 receptacles in the City?

13 A. Right.

14 Q. During that period of time, were you
15 employed by Robb Tyler or by BFI?

16 A. By BFI.

17 Q. So that would have been sometime after
18 the landfill operated by your brother closed?

19 A. Oh, yes, way after the landfill was
20 closed.

21 Q. Do you recall ever seeing city-owned

1 trucks unloading material at the landfill
2 operated by your brother?

3 A. Not to my knowledge.

4 Q. You testified at your last session of
5 your deposition, I believe about bulldozing down
6 trees on the landfill. Do you recall that?

7 A. Yes, I do.

8 Q. My understanding is you would be
9 bulldozing down trees to create new areas in
10 which to dump?

11 A. No, you push the trees down so you
12 could get down in there to put trash in there.

13 Q. Would you put trash among standing
14 trees?

15 A. No. Sometimes some would be sticking
16 up, small ones or whatever it would be. You
17 would just go right over the top of them.

18 Q. But would you put trash among standing
19 trees and leave them standing?

20 A. No, no.

21 Q. Was that because you wouldn't be able

1 to operate the bulldozer within the trees?

2 A. You could get down in there roughly
3 when you pushed them over. Some spots you
4 couldn't get, because it was soft, with the
5 bulldozer. So when you put trash in there, then
6 you pushed them over.

7 Q. Pushed the trees over?

8 A. Yes, you pushed the trees over because
9 the land was so soft you couldn't get the dozer
10 in there and it would sink and get stuck. Then
11 you would leave the trees in there and push trash
12 over there and then you pitched it over.

13 Q. So am I correct that you would not
14 simply place trash among standing trees and leave
15 them standing?

16 A. No.

17 Q. I am correct?

18 A. You are correct.

19 Q. When you were being questioned at your
20 last session by Mr. Grummer, GM's counsel, I
21 recall your saying something to the effect that

1 at GM you were approached every which way but the
2 right way about taking certain stuff out of GM
3 and that you always said no way. Do you recall
4 that testimony?

5 A. Yes, I do. In other words, what I
6 meant by that is when you hauled the General
7 Motors plant, you was a driver for Robb Tyler or
8 BFI. I worked for BFI when I hauled trash out of
9 there. You would have guys who would come around
10 and say look, I have got a brand new radio over
11 here, how about taking it out for me.

12 No way, buddy, you ain't getting me
13 locked up for something that you want me to steal
14 for you, get away from me. That is what I meant
15 by that.

16 Q. Okay. I understand that.

17 You testified before about a gentleman
18 by the name of Sam Grant who was also known as
19 the preacher. Do you recall that?

20 A. Yes, I might have testified here, but I
21 did testify at BFI's, over at their main office

1 when they had two lawyers over there, they asked
2 me about the drums that was over on Quad Avenue,
3 about the drums that was hauled and what happened
4 to them. They used to have a man over there that
5 used to open the bundles up, dump them out and
6 load them over to his office and whatever they
7 done with them, I don't know.

8 Q. And that man was Sam Grant?

9 A. Sam Grant, yes. He used to scrap all
10 the stuff off the dump.

11 Q. Do you know whether or not he was a BFI
12 or Robb Tyler employee?

13 A. I don't know who he was employed by
14 or what he was doing on the dump, but he used to
15 junk scrap on the dump, get all the steel out
16 and metal and whatever it was, at Robb Tyler's
17 dump.

18 Q. Following the closing of Quad Avenue,
19 do you know where Mr. Grant worked?

20 A. I don't know. He was supposed to be a
21 preacher, so they tell me he was a preacher.

1 Q. Did he do similar work? The work that
2 he performed at Quad Avenue involving the drums,
3 did he ever perform that work at the landfill
4 operated by your brother?

5 A. No.

6 Q. Did he ever perform that work at any
7 other landfills operated by Robb Tyler?

8 A. I don't know.

9 Q. Are you aware of an individual known as
10 Tiny Sauer?

11 A. That is a younger brother of mine.

12 Q. Is that the younger brother who
13 drowned?

14 A. No, that is the twin brothers, Tiny
15 Sauer, Ronald, his right name is.

16 Q. And did Ronald Sauer also work at the
17 landfill?

18 A. No.

19 Q. He did not?

20 A. No. He worked for BFI running the
21 bulldozer. Then when they done away with the

1 union, then he went with Environmental, Groves
2 Landfill or something that is out on Allender
3 Road. I'm not going to make no statements for
4 sure, but I think that Allie Tyler owned that
5 landfill. I don't know for sure now. I'm only
6 saying what I heard, but he went to work for him
7 running the dozer and I haven't seen that boy
8 since.

9 Q. Did Ronald ever work at the landfill
10 operated by your brother?

11 A. No. No.

12 Q. Did he go to work for Robb Tyler at any
13 time prior to the closing of your brother's
14 landfill?

15 A. Yes. He worked down on Norris'
16 Landfill. That is where he started.

17 Q. He started after Norris' Landfill
18 opened?

19 A. When Norris' landfill first opened up
20 they needed dozer operators, and that is when he
21 went down there and got a job.

1 Q. You said he was a twin. What was the
2 name of his twin brother or sister?

3 A. Donald. Donald and Ronald.

4 Q. Did Donald ever work on the landfill
5 operated by your brother?

6 A. No.

7 Q. Did he ever work for Robb Tyler?

8 A. Did he ever work for Robb Tyler?

9 Q. Yes.

10 A. Yes, down on Norris' landfill.

11 Q. Not Ronald I'm talking about his twin
12 brother Donald?

13 A. No, no, his twin brother is in Detroit
14 working for a General Motors plant up there
15 somewhere.

16 Q. Are you aware of an individual named
17 Daniel Sauer?

18 A. He's in Detroit too. He never worked
19 over there.

20 Q. That is another of your brothers?

21 A. Yes.

1 Q. He never worked at the landfill
2 operated by your brother?

3 A. No, he's in Detroit, too.

4 Q. Are you familiar with an individual by
5 the name of Dock, D-O-C-K, Luther Keith?

6 A. I think that was Mike Cefaloni's
7 brother-in-law if I ain't mistaken, yes.

8 Q. Did he ever work at the landfill
9 operated by your brother?

10 A. I don't think he did. I'm not sure.

11 Q. Did you ever see him at the landfill?

12 A. Yes. He lived there with Mike
13 Cefaloni. But if I ain't mistaken, he worked for
14 Robb Tyler.

15 Q. For Robb Tyler?

16 A. For Robb Tyler as a helper on a truck
17 if I'm not mistaken.

18 Q. A helper would be someone who went with
19 the driver?

20 A. Went with the driver and loaded trash.
21 Now, I might be wrong.

1 Q. Did your brother, Fritz, know how to
2 read and write?

3 A. Not too good.

4 Q. Michael Cefaloni testified at his
5 deposition that, and I quote, this relates to
6 you. "He, meaning Luke Sauer, went on to work
7 driving a Dumpmaster for Robb Tyler because his
8 brother and him got in to an argument and they
9 couldn't get along together."

10 A. No.

11 Q. That was on page 525 of Mr. Cefaloni's
12 deposition?

13 A. No.

14 Q. Is there any truth to that at all?

15 A. Nope. When I got a better job offer, I
16 took it.

17 Q. Let me take a moment to review my
18 notes.

19 (Perusing.) Mr. Beck had asked you
20 before about a meeting that you had with two BFI
21 attorneys in which you were asked various

1 questions about the subject of this lawsuit, the
2 things that we are talking about here today. Do
3 you recall that?

4 A. Yes, I do.

5 Q. And you alluded to it just a few
6 moments ago as well?

7 A. Right.

8 Q. And he asked you whether what you had
9 told them was, to the best of your knowledge,
10 true, and you said it was?

11 A. Right.

12 Q. But he never asked you what you told
13 them. So I'd like to know what it is that you
14 are saying was true. What do you recall you said
15 to them and they said to you during the course of
16 that conversation?

17 A. They had asked me what I had hauled
18 over on that landfill, over at Fritz's Landfill
19 with Fritz's truck, what stops belonged to them
20 and I told them.

21 Q. Do you recall specifically what you

1 told them?

2 A. Yes, I can recall. I told them that I
3 hauled Rubberoid. I hauled National Gypsum,
4 J. S. Young, Schaefer Brewery, National Brewery
5 and some other stops that I can't recall right
6 offhand. I hauled in there.

7 Q. Do you recall anything else
8 specifically that they asked you?

9 A. They asked me if it was any fly ash
10 hauled over there, and I said no, and they are
11 talking about Sam Grant and they said this was
12 Sam Grant over there. And I said no, you have
13 got the wrong landfill.

14 I said Sam Grant used to work right
15 down there behind the office because I run a
16 dozer over there for Robb Tyler when I worked for
17 my brother Fritz. He used to lend me out.

18 Q. Sam Grant was behind the office at Quad
19 Avenue?

20 A. Behind Robb Tyler's office, yes. I
21 said that is where Sam Grant worked. He didn't

1 work over there. He worked on Quad Avenue.

2 Then he said oh, okay. They had it all
3 backwards. That was the wrong location they had
4 and that is what I told them.

5 Q. Do you recall anything else that they
6 asked you or anything else that you told them?

7 A. Not right offhand. I can't think of
8 anything else.

9 Q. And when you testified today that what
10 you had told them was the truth, what you were
11 referring to was what you just recounted to us?

12 A. What just what I told you, to the best
13 of my knowledge. Because you are going back 25
14 years.

15 MR. MASUR: I appreciate that. I don't
16 have any other questions. Thank you.

17 MS. CASANO: Any other third party
18 defendants who have any questions for Mr. Sauer?

19 (No response.)

20 MS. CASANO: All right. Then it's back
21 to me, Mr. Sauer, which may mean that the end is

1 in sight.

2 EXAMINATION BY MS. CASANO:

3 Q. I'm going to ask you first, some
4 questions, Mr. Sauer, relating back to questions
5 that you were asked on October 14th.

6 At page 78 of your transcript, I was
7 asking you questions about fly ash and you
8 indicated that Parker hauled fly ash from a
9 Baltimore Gas and Electric facility called Turner
10 Station. Do you recall that testimony?

11 A. Yes.

12 Q. Where was Turner Station located?

13 A. That is in Logan Village, the end of
14 Dundalk down near the Francis Scott Key Bridge, a
15 big power company down there.

16 Q. Do you know is that a generating
17 facility?

18 A. Well, I ain't going to say, because I
19 don't know. I don't know what it does down
20 there, but I guess it does make electric or what
21 does it do down there. I don't know.

1 Q. And that was Logan?

2 A. That would be Turner Station, the end
3 of Turner Station. It would be the big power
4 plant down there.

5 Q. Turner Station is the name of a
6 street?

7 A. No, that is a development down there.
8 It is Dundalk, Logan Village and Turner Station.
9 Just get on Dundalk Avenue and take it all the
10 way to the end and you are at Turner Station.

11 Q. Okay. Turning to page 112 of the
12 transcript of your previous deposition, I'm going
13 to read a few questions and answers. Beginning
14 on line 20 on page 112.

15 "Question: Do you recall ever seeing a
16 trench dug at Fritz's landfill.

17 "Answer: A trench?

18 "Question: Right.

19 "Answer: For what?

20 "Question: For dumping waste."

21 Then we don't have an answer recorded.

1 So I want to ask you again, do you recall ever
2 seeing a trench dug at Fritz's Landfill?

3 A. No. How do you dig a trench when it
4 was already 30 or 40 foot deep, how are you going
5 to dig deeper?

6 Q. When you say it was 30 or 40 feet deep,
7 do you mean that the ground naturally sloped in
8 such a way that there was a --

9 A. The ground came over and you had
10 railroad ground over here. It was a high bank.
11 This ground came over and it was low. Al Landay
12 said I want it filled from the road level out
13 here over to meet the railroad bank to bring it
14 level across there and whatever you had in
15 between was just like that. That is what you
16 filled up to get it level.

17 Q. So when you talk about pushing waste at
18 the landfill, were you generally pushing waste up
19 into position as opposed to pushing waste over an
20 embankment?

21 A. Usually you push, you keep slumping

1 down and then you dump all your heavy stuff back
2 here, dirt and concrete and stuff at night and
3 you get behind it and go back over top of it and
4 seal it in at night. The next morning you kept
5 on going until you got to your layers.

6 Q. So you were usually pushing waste down
7 as opposed to pushing up?

8 A. Yes, downhill see, there are some ways
9 on a landfill that you can ramp up. You can ramp
10 this way or you can ramp down.

11 Q. But you never saw anything that looked
12 like a trench that someone had dug at Fritz's
13 Landfill?

14 A. No, no.

15 Q. Directing your attention to page 165 of
16 the transcript beginning with line 7. You were
17 asked a question.

18 "Question: Was there still some
19 burning at Fritz's Landfill?

20 "Answer: It would be a fire if it
21 would catch on fire, you would have fires that

1 would catch on fire and it would get out of
2 control where you couldn't get it out with a
3 dozer. Then you would have to call the fire
4 department, but you could have a fire any time on
5 a landfill. You never knew when you was going to
6 have a fire.

7 "Right after a wet day, and you would
8 have the sun shining like now, when them wet
9 loads would come in and you would hit them, they
10 would be smoking and heat generating in them and
11 they would burst on fire quick on you if you
12 didn't get them busted open and get them packed
13 in the ground and then cover them with dirt."

14 What I want to ask you, Mr. Sauer,
15 what was in those loads that made them catch on
16 fire?

17 MR. BECK: Objection, lack of
18 foundation.

19 A. It could be you had wet rags in there,
20 wet oily rags could be in a load, any kind. An
21 overhead Dumpmaster or anything could dump oily

1 rags in there. They will generate a heat and
2 they will catch a fire on you quick. But when
3 you bust them open with the dozer, the air gets
4 to it and you pack it down and then you put dirt
5 on top of it. But you can have a load anytime,
6 you can have a fire on a landfill.

7 A guy can get out smoking a cigarette
8 and throw it up, you push it up, there she goes,
9 you got a fire.

10 Q. Were there times at Fritz's Landfill
11 when you were working there when you saw one of
12 these, I will call it a wet load, when you saw
13 one of these wet loads catch fire?

14 A. Oh, yes, we always had to watch even
15 when I worked for Robb Tyler or BFI, either one
16 of them landfills, we always had a fire.

17 Q. Do you remember where any of those
18 loads would have come from?

19 A. No, no. I had no way of knowing. The
20 driver dumps it, pulls away. I don't know where
21 he came from, you know. The dozer man would go

1 crazy trying to ask you where you from, where you
2 from. You couldn't do that.

3 Q. Earlier today, you were talking about
4 the time that you were arrested because you
5 didn't report the fire that happened when you
6 were on the landfill. Was there a reason why you
7 didn't report that fire?

8 A. It was a little fire, a little fire
9 there. Usually I get there about four or five
10 o'clock in the morning, get my truck started go
11 and haul for Robb Tyler. And, well, I don't know
12 for sure what it was. It was a pile of wire or
13 something over there burning. They thought it
14 was out and the wind had stirred it up a little
15 bit.

16 And I didn't pay it no mind. It wasn't
17 going to hurt anything. I didn't pay no mind to
18 it. And I drink my coffee and getting ready to
19 get in my truck and go and that when the man came
20 in and locked me up for having a fire.

21 Q. How often would you say fires occurred

1 on Fritz's Landfill when you were working for
2 Fritz?

3 A. We could get a fire, if you was lucky
4 and had it all packed in, you might not get one
5 for two or three weeks. Sometimes you might get
6 one a month. Maybe every week you would get
7 one.

8 Q. I think you testified earlier today
9 that sometimes there could be a fire because the
10 trash hadn't been covered adequately and kids
11 would set it on fire?

12 A. Yes. Yes.

13 Q. To your knowledge that happened while
14 you were working for Fritz?

15 A. Oh, yes. But it would only take a
16 matter of an hour to put it out. You would get
17 it out with a dozer. It depends on the way the
18 wind was blowing. If you had a bad wind you
19 couldn't get it out with the dozer.

20 Q. In your testimony on October 14th,
21 beginning on page 1885 of the transcript, you

1 testified, in essence, that when you went to
2 General Motors, some people would give you a
3 hard time, and I don't mean you personally, but
4 they would give drivers a hard time about whether
5 they belonged to the union or not, is that
6 correct?

7 A. Right.

8 Q. I believe that your earlier testimony
9 was that it wasn't the security guards at General
10 Motors but it was other employees who would give
11 people a hard time, is that correct?

12 A. Right. Because when I went with Robb
13 Tyler and I was working on the dozers and then
14 when I transferred over to the trucks, when you
15 first pulled in the gate and the guard would
16 leave you go on back, the first thing you got
17 back there, the guy would ask you, let me see
18 your union card, you are a new man.

19 You got a union card, you are in the
20 union. Then he would give you a hard time. I
21 would say yes I'm in the union and I would pull

1 out my card and show it to him and then he
2 wouldn't bother me no more.

3 Q. Do you know whenever that person would
4 ask you that question, do you know whether they
5 were doing that because that is what they were
6 instructed to do by General Motors management or
7 whether that was something they were doing --

8 A. No, that is all unions, all unions. In
9 other words, if I'm working on a construction job
10 and it is a strict union job and you come on that
11 job and you are a new employee, the first thing
12 the shop steward does is run up to you and ask
13 you if you are in the union, if you have a union
14 card. If you don't have a union card, you can't
15 work and that is what it is done for.

16 Q. Okay. Would did that person have any
17 authority, basically to tell you to leave General
18 Motors?

19 A. He would have the authority to tell you
20 to leave if you wasn't a union employee. But now
21 that is changed now. That is altogether

1 different now. That is what you call a closed
2 shop, like where I work now down at Arundel's.

3 You must be a union member or you
4 cannot work for Arundel. But other places now
5 have changed that you can be a nonunion man and a
6 union man, but years ago it was altogether
7 different.

8 Q. You you a have been asked some
9 questions about Western Electric, Mr. Sauer, and
10 the pertinent testimony from the first session of
11 your deposition begins at page 62 of your
12 transcript. Beginning there, and I think again
13 today, you testified that you personally did haul
14 waste from Western Electric when you were working
15 for your brother Fritz.

16 A. Right.

17 Q. That you hauled a 30-yard container, is
18 that correct, from Western Electric?

19 A. Nope. I hauled a dump truck. The body
20 was equal to a 30-yard container is what it was.
21 It was approximately 30 feet long, give or take

1 22 feet long, eight feet wide, eight feet high
2 was the body with doors on the back.

3 Q. And I believe that your earlier
4 testimony was and your testimony on the 14th was
5 and your testimony today was that you did haul
6 barrels or drums from Western Electric and that
7 you took those to Robb Tyler's Landfill?

8 A. Right.

9 Q. And once you got them to Robb Tyler's
10 Landfill, the contents of the drums were
11 incinerated, is that correct?

12 A. It depends when I went on the
13 landfill. If I went on the landfill I would dump
14 them out. This guy Sam Grant would go through
15 them and pick out what he wanted and then I would
16 dump them. He would drain them or do whatever he
17 wanted to do with them and get out the good
18 barrels. The rest of them they pushed over.

19 Now, when I made the statement, when I
20 hailed for General Motors, I don't know if you
21 recall it. You might be messed up. When I

1 worked for BFI or Robb Tyler on a trash truck, I
2 picked up a 30-yard container of drums, took them
3 to the office. They was paint thinners and stuff
4 like that.

5 They had a burner over there that used
6 to burn this stuff. The man would take the bungs
7 out of them, put a hose in them and it would burn
8 through this burner and dispose of it that way.

9 Q. So the General Motors waste was
10 incinerated but the Western Electric waste was
11 not?

12 A. No, they would just dump it on the
13 dump.

14 Q. Now, I think you testified initially
15 that Western Electric brought things to your
16 father's property.

17 A. Right.

18 Q. Is it your testimony that when that
19 Western Electric then became Fritz's customer, is
20 that correct?

21 A. Right.

1 Q. Was there some period of time after
2 Western Electric became Fritz's customer that
3 Western Electric continued to haul its own waste
4 to Fritz's Landfill?

5 MR. GUTTER: Objection, he never said
6 any of it was hauled to Fritz's Landfill.

7 A. No. You got it wrong. We hauled all
8 Western Electric stuff, barrels, trash, skids,
9 trash, everything went to Robb Tyler's Landfill,
10 Quad Avenue. That was Western Electric. When
11 he lost Western Electric, then he started a
12 landfill up.

13 Robb Tyler took that stop away from him,
14 then he started the landfill up. But none went
15 to North Point Road. It went to Quad Avenue.

16 Q. Do you know whether Western Electric
17 continued to be a Robb Tyler customer when Robb
18 Tyler's landfills were closed?

19 A. I don't know.

20 Q. And do you know whether Robb Tyler
21 drivers hauled any Western Electric waste to

1 Fritz's Landfill after Tyler got the Western
2 Electric contract?

3 A. Ain't no way in the world, I will tell
4 you I ain't going to state yes, no or what. It
5 had to go somewhere, but I don't know where it
6 went.

7 Q. Now, I think that you made a statement
8 earlier today, Mr. Sauer, that indicated that
9 when Fritz had the Western Electric contract,
10 Western Electric waste went to Tyler's dump
11 because it was cheap to dump there in those days,
12 is that correct?

13 A. Yes.

14 Q. Does that mean that there was a time,
15 that you are aware of, when you when Tyler would
16 charge Fritz to use Tyler's dump?

17 A. Yes, you have to pay to dump there.
18 Every load I dumped in there of Western Electric,
19 it has been so long ago, I don't think it was no
20 longer ago, give or take, I think them days it was
21 about \$3 a load or \$4 a load to dump the whole

1 load and all do you is back up, dump and go.

2 Q. And was that when Fritz did not have
3 his own landfill?

4 A. Right. Right. All Western Electric
5 went to Robb Tyler's because he didn't have
6 nowhere to put it.

7 Q. I have the impression you come from a
8 very large family?

9 A. Yes, I do.

10 Q. How many full brothers and sisters do
11 you have as opposed to stepbrothers and sisters?

12 A. It's 10 of us.

13 Q. And then how many stepbrothers and
14 sisters do you have?

15 A. I have got four.

16 Q. Would you say that your family was a
17 close family back in the 1960's?

18 A. Yes, until we got a stepmother.

19 Q. That happened when you were a
20 teenager?

21 A. Yes.

1 Q. Would you say that you were close to
2 your brother Fritz during the time that you were
3 working with him?

4 A. I was pretty close to him but Fritz was
5 always slicker than I was.

6 Q. What do you mean by that?

7 A. He would get you in a minute. He was
8 slick. He was fast and he would get you if there
9 was any money involved.

10 Q. Did Fritz ever talk to you about
11 whether he might have to pay for cleaning up the
12 landfill?

13 A. No.

14 Q. I think Mr. Beck asked you whether
15 Fritz ever told you -- I don't remember. Let me
16 just ask. Did Fritz ever tell you that he had
17 talked to anyone either from the United States or
18 the State about the landfill?

19 A. No. The only way I found that out was
20 when that man had called me that night at home
21 and the next day I was in Fritz's house wanting

1 to know what was going on.

2 Q. Did you regard Fritz, generally as a
3 truthful person?

4 A. A what?

5 Q. A truthful person, an honest person?

6 A. I ain't going to make no statements on
7 that.

8 Q. Is that because you don't have an
9 opinion?

10 A. What?

11 Q. Is that because you don't have an
12 opinion?

13 A. Well, Fritz is pretty truthful in one
14 way and he will turn around in another way.

15 Q. Do you have any reason to believe that
16 Fritz would have lied to investigators from the
17 United States?

18 A. I don't think he would have, no.

19 Q. Is there any one still living, Mr.
20 Sauer, who you think would know better than Fritz
21 who his customers were?

1 A. No. That was always kept between him
2 and his wife. Whatever was done or business or
3 transaction or paperwork or what was between him
4 and her.

5 Q. When you were hauling loads for Robb
6 Tyler but employed by Fritz, did Fritz know which
7 customers you were servicing?

8 A. Yes, because he used to get the tickets
9 and his wife would take off who I hauled for and
10 she kept a record of Robb Tyler stops and then I
11 would take them across because I live in
12 Rosedale. I would go across through the dump in
13 my pickup truck over and turn them in to Robb
14 Tyler's office.

15 The dispatcher would give me the work
16 for tomorrow. I would turn them in like tonight
17 at six o'clock, I would turn them in that they
18 were all signed and everything. I would give
19 them to him and then they would give me a handful
20 for tomorrow's work. Then Fritz would take a
21 record of whatever we hauled.

1 Q. Okay.

2 A. So I guess whenever they got paid they
3 know how many loads I hauled or whatever it was.
4 I don't know.

5 Q. How often was Fritz at his landfill
6 when you were working with him?

7 A. How often was he there? He was there
8 mostly all the time.

9 Q. You testified on October 14th that
10 Fritz, generally speaking, did not take drums at
11 his landfill.

12 A. He didn't want no drums.

13 Q. When you said that, were you talking
14 only about drums that contain things or were you
15 including even empty drums?

16 A. He did not take no drums whatsoever.
17 He didn't want no drums around them dozers and he
18 didn't want none on that landfill. Now that was
19 a standing order. And if we would get a drum,
20 whatever was in that load, we would start
21 hollering and they would try to find out what

1 truck dumped it and you couldn't find out.

2 Well, then mostly you would take the
3 bulldozer blade and cut it and bust it and try to
4 get the stuff to run out and run over it and run
5 it flat, but it's dangerous with barrels on a
6 bulldozer, I'm telling you.

7 Q. On those occasions when the barrel
8 would be cut, would it then ultimately just be
9 buried in the landfill?

10 A. Yes.

11 Q. You indicated earlier today, Mr. Sauer,
12 that you don't read or write very well?

13 A. No, I don't.

14 Q. Were you able to read the tickets that
15 you received from the Robb Tyler dispatcher?

16 A. Yes, because I done it day in and day
17 out, I knowed where I was going.

18 Q. You could recognize the names?

19 A. Yes, I recognized the ticket.

20 Q. I think there is a little confusion
21 about which landfills you used when, Mr. Sauer,

1 and I'd just like to go over that with you. As I
2 understand it, and jump in and correct me as I go
3 along, when you first started to work for Fritz,
4 he didn't have a landfill and so you used Tyler's
5 Landfill.

6 A. Right.

7 Q. And that was the Quad Avenue or
8 Rosedale landfill?

9 A. Right.

10 Q. Then approximately 1965 Fritz opened
11 his landfill and you started to haul there?

12 A. Right.

13 Q. Did you continue to haul to Tyler's
14 Landfill as well during that period after Fritz's
15 Landfill opened?

16 A. No, because Robb Tyler's Landfill was
17 closed and we had to haul to Fritz's.

18 Q. In approximately 1965, Fritz's Landfill
19 was closed?

20 A. Fritz opened up the landfill right
21 after Robb Tyler took Western Electric from me.

1 Now, whenever that was, I don't know. I don't
2 know what the dates is or what but that is when
3 he opened up the landfill and Robb Tyler's had
4 closed. And that is when all the trucks came
5 over there.

6 Q. So, as you recall it, was there a
7 period of time when Fritz's Landfill was opened
8 and Tyler's Landfill was open as well so that you
9 could go to either one of them?

10 A. No, I don't think it was.

11 Q. I think you testified earlier on
12 October 14th, let me just ask so I don't
13 mischaracterize what you said.

14 When you were hauling waste for Tyler
15 customers but employed by your brother Fritz, I
16 believe that you testified earlier that you would
17 just take the load to whichever landfill was
18 closest, is that correct?

19 A. Yes, I did.

20 Q. Do you recall, did the Tyler dispatcher
21 ever tell you where to take a load?

1 A. He told me to haul to Fritz's.

2 Q. And was that because Fritz's Landfill
3 was the only one open?

4 A. Because it was the closest. If you was
5 hauling out Kane Street, you couldn't go all the
6 way to Patapsco Avenue or all the way on the
7 other side of town and get a load and bring it
8 all the way over here. If you were over in that
9 section, you went to that landfill over there.
10 If you were in this section you went to Fritz's.

11 Q. Did the Tyler dispatcher always tell
12 you where to take the load or sometimes the
13 dispatcher did and sometimes the dispatcher
14 didn't?

15 A. Well, he told you when you picked up
16 your work where you were hauling to tomorrow.
17 You knowed this when you looked at the tickets
18 that you were going to Fritz's because it was
19 close all around Canton and all around. So
20 that is where you had to go, you went to Fritz's
21 with it.

1 Q. At some point though, perhaps when you
2 first started to work to take loads for Tyler,
3 did the dispatcher tell you to use the closest
4 one?

5 A. Yes, the dispatcher did tell me haul to
6 Fritz's.

7 Q. Do you recall which customers' loads
8 you would have been hauling when the dispatcher
9 said go to Fritz's?

10 A. Anything I hauled for Robb Tyler on
11 this side of town went to Fritz's.

12 Q. Would that have included Western
13 Electric?

14 A. I did not haul Western Electric when
15 Robb Tyler had it.

16 Q. When did you haul Western Electric,
17 only when you were working for your brother?

18 A. Only when Fritz had it.

19 Q. Andy has just pointed out to me, Mr.
20 Sauer, that back on October 14th, I asked at page
21 58 of the transcript, that I asked a question.

1 "Question: And when you hauled waste
2 from Western Electric, where did you take them.

3 "Answer: Either landfill, either one,
4 the closest one was Fritz."

5 And I just wanted to check and make
6 sure, is it your recollection today that when you
7 hauled Western Electric waste you only took it to
8 Fritz's landfill?

9 A. You have got it confused. From Western
10 Electric I took it to Robb Tyler's Landfill, Quad
11 Avenue. You have got it confused there. There
12 is confusion.

13 Q. So it is your testimony that you did
14 not --

15 A. That I hauled it to Robb Tyler's
16 Landfill. We didn't have a landfill, being I
17 took it to Robb Tyler's Landfill, Quad Avenue.
18 You have got it confused there. There is
19 confusion.

20 Q. So it is your testimony that you did
21 not --

1 A. That I hauled it to Robb Tyler's
2 Landfill. We didn't have a landfill, I told
3 you.

4 Q. I thought I marked down the correct
5 page number but I didn't. Mr. Beck read to you
6 earlier today some testimony from a deposition of
7 your brother that was done in 1972 wherein, and
8 maybe, Mr. Beck, if you could help me out on
9 this, it was a series of questions about
10 whether -- the question was something like did
11 you haul for Robb Tyler and his answer was not
12 very often.

13 MR. BECK: That is right. That is
14 exactly what his answer was. I will try and help
15 you find it.

16 (Perusing.)

17 MS. CASANO: I found it. Page 45
18 beginning with line 13.

19 Q. Back in 1972 your brother was asked a
20 series of questions and answers.

21 "Question: Did you ever do any work

1 for Robb Tyler himself or his outfit?

2 "Answer: Yes, I picked up his trash.

3 "Question: In other words he would
4 call you and say Mr. Sauer would you pick up a
5 load?

6 "Answer: Right.

7 "Question: You would be a
8 subcontractor then?

9 "Answer: Yes, only when he had a truck
10 broke down or something. Yes, he did pick up
11 loads himself sometimes, but not very often and I
12 can tell you the loads that he picked up was
13 Anchor Post. He used to go get Anchor Post,
14 bring it over and dump it out, dump the paper out
15 of it, bring it back, put the paper back in.

16 "It was a Robb Tyler stop and he turned
17 around and he took the can back, set it down and
18 set it back down again and bring the truck back
19 to the yard. Now if they called it back and put
20 it back in the yard and I wasn't nowhere around,
21 he went --"

1 And there is nothing in the testimony
2 that I read to you that causes you to change your
3 testimony that you picked up --

4 A. No. I can tell you just what he done.

5 Q. I'm sorry, I want to ask about you.
6 There is nothing in his testimony that causes you
7 to change your testimony that you hauled loads
8 from Tyler customers on a regular basis while you
9 were working for Fritz?

10 A. Yes, I did.

11 (Discussion off the record.)

12 Q. In the testimony that I read to you,
13 your brother essentially said that he picked up a
14 load for Robb Tyler not very often. Do you know
15 whether your brother was referring to himself
16 personally when he answered that question or
17 whether he was referring to North Point Trash
18 Removal and all the employees of that company?

19 MR. BECK: Before you answer, I object
20 first that it mischaracterizes the deposition
21 which isn't phrased as "he" but it's phrased as

1 "you" which could have been understood by Mr.
2 Sauer at the time he gave the answer to have
3 referred to you, Fritz Sauer or you North Point
4 Trash Removal.

5 And I object to the question because it
6 calls for the witness to speculate about what was
7 going through his brother's mind when he gave the
8 answer in 1972 and how his brother understood the
9 word you in that context.

10 Q. You can answer, Mr. Sauer?

11 MR. BECK: You have revised this
12 question. You said before that if they called up
13 over there and they asked for him to go get a
14 container or go take the truck and get a
15 container on certain occasions, he went, but you
16 are saying if any North Point trash employee, it
17 went.

18 Q. Let me try a different approach?

19 A. Did your brother Fritz personally haul
20 in loads for Robb Tyler?

21 A. Yes, he did.

1 Q. And how often did he do that that?

2 A. Once in a while. If I wasn't there, he
3 would take the truck and go get it if it was a
4 hot load that had to be got.

5 Q. Would you say that he frequently
6 personally hauled a load for Robb Tyler?

7 A. Yes, he did.

8 Q. So when your brother said, when he was
9 asked how often you did work for Robb Tyler and
10 his answer was not very often, if he was
11 referring to himself, do you think that he was in
12 error to say that he did not do it very often? I
13 know that is confusing.

14 MR. BECK: Object. Calls for
15 speculation, conjecture or conclusion on the part
16 of the witness.

17 Q. You can answer, Mr. Sauer.

18 A. He is referring to hisself. He went
19 certain times, not often. He went by hisself,
20 very few times by hisself. But me, I worked
21 steady if that is what you are saying.

1 Q. Right. There is nothing in your
2 brother's previous testimony that causes you to
3 change your testimony that you hauled for Robb
4 Tyler on a regular basis?

5 A. I hauled steady for him. He went once
6 in a while.

7 Q. Okay. I think we are all right there.
8 You testified earlier on October 14th
9 that you did haul from Western Electric a white,
10 watery or oily substance in 4,000 gallon tanks.
11 You have also indicated that barrels were hauled
12 from Western Electric. Do you know what was in
13 those barrels?

14 A. No, I don't.

15 Q. Do you know whether the barrels ever
16 contained this white oily substance?

17 A. No, they didn't.

18 Q. Are you saying they didn't contain the
19 oily substance or you don't know?

20 A. No. I say they didn't contain the
21 white oily stuff, the barrels. That was in a

1 special container. That went to a special
2 place. I can't think of the name of the place
3 now again. I have to think of it again.

4 Q. Was there ever a time that you are
5 aware of when Western Electric had more of that
6 substance than the tank could hold and so Western
7 Electric put it in drums?

8 A. You had two tanks, a backup tank.
9 Where did I take that damn stuff?

10 Q. That is okay, we don't need to --

11 A. American Recovery.

12 Q. Do you know what was in the drums?

13 A. No. I think when I hauled that white
14 water, that was a new process they had put in
15 down there, a new place they put in, it was a
16 brand new plant they put in down there inside of
17 a plant and that is where that water come from
18 down there but Robb Tyler had the contract to
19 haul that and it went over to American Recovery
20 is where we hauled it and he had the special
21 tanks built for it, Robb Tyler did. All we done

1 was haul it.

2 Q. Tyler had the tanks built?

3 A. Yes, they were Robb Tyler tanks.

4 Q. You testified earlier on October 14th
5 and the pertinent testimony begins on page 110, I
6 believe, that at one point in time there was a
7 sewer line built through Fritz's Landfill. Do
8 you recall that testimony?

9 A. No. It is a main sewer line for the
10 whole Baltimore City that goes down through that
11 landfill.

12 Q. And was that built?

13 A. No, no, no. That has been there for
14 years. It is the main sewer line for the whole
15 Baltimore City that goes down through there.

16 Q. So that was constructed?

17 A. I don't know when that was put in.
18 That was centuries ago.

19 Q. Let me read your earlier testimony,
20 page 109 of the previous transcript you said it
21 is a tremendous water main came down through

1 there and it is a big sewer. The main sewer line
2 for Baltimore City goes through that landfill
3 because I recall Fritz saying that you can't get
4 no trucks on top of that sewer line and he used
5 to reroute the road around that line. Did you
6 know where the sewer line was located?

7 A. Yes, it was a road on top of it.

8 Q. Was that a road that was used by the
9 public or was that one of the landfill roads?

10 A. No, that was a little road put in there
11 years ago. It went up in the woods and stopped.

12 Q. And how do you know that the sewer line
13 was under that road?

14 A. That is what I was told. I don't
15 know. But he told me it is a sewer line
16 underneath of there.

17 Q. And do you know whether dumping
18 occurred on both sides of that?

19 A. I don't know for sure. But I know one
20 thing, you are not supposed to ride on top of
21 that and they have got Lombard Street is built on

1 top of that sewer line and I was always told by
2 my father and my brother that you are not
3 supposed to ride on that sewer line.

4 Q. You indicated earlier, Mr. Sauer, that
5 you did see Chevrolet Ray at Fritz's Landfill
6 picking up beer and that sort of thing.

7 A. Yes.

8 Q. Did you ever see him drive in to
9 Sauer's Landfill?

10 A. He drove in but he parked. I don't
11 know if he dumped. I just do not know. I cannot
12 make no statements.

13 Q. Did you ever see Chevrolet Ray leave
14 Fritz's Landfill with drums?

15 A. He used to have drums always on that
16 truck but wherever he came from or wherever he
17 dumped, I don't know. I don't know for sure, but
18 I still don't know if he dumped over there. I
19 don't know. I told you that before.

20 Q. I take it then that you never saw
21 Chevrolet Ray come in with drums and leave

1 without the drums, is that correct?

2 A. No. He came in with drums on the truck
3 and he would park. And when he left, he left
4 with the drums. Now wherever he came from, I
5 don't know. I don't know what he hauled or
6 wherever he went or where he dumped, I don't
7 know.

8 MS. CASANO: I have nothing further.

9 THE WITNESS: Is that it?

10 MR. BECK: No.

11 EXAMINATION BY MS. MARKS:

12 Q. Mr. Sauer, my name is Pamela Marks and
13 I represent the State of Maryland and I just have
14 a few additional questions.

15 You mentioned that you know Warren
16 Parker, is that right?

17 A. I know him from the concrete business.

18 Q. Do you see him often?

19 A. No, I don't.

20 Q. Did you ever talk with Warren Parker
21 about this case?

1 A. No, I haven't.

2 Q. Mr. Sauer, do you remember
3 approximately how frequently you would see Mr.
4 Landay out at Fritz's Landfill, Fritz's dump?

5 A. When we had the landfill eoprating?

6 Q. Correct.

7 A. Mr. Landay would show up possibly at
8 least three to four times a week.

9 Q. Did you personally see him that many
10 times a week?

11 A. I would see him when he came in with
12 his car and if he had something to say with me,
13 he would pull up alongside that dozer and he
14 would tell you what he wanted done. And if he
15 didn't see me or if I didn't see him, he would go
16 get my brother Fritz and they would come in the
17 car.

18 And he would tell you what he wanted
19 pushed down or where he wanted this and that and
20 this and that. And it wasn't no tomorrow. It
21 was today.

1 Q. Did you see him that many times a
2 week?

3 A. Yes, I seen Mr. Landay and I know Mr.
4 Landay real well.

5 Q. And Mr. Landay spoke with you sometimes
6 when you saw him?

7 A. Yes, he would tell me what he wanted
8 leveled off and the way he wanted it leveled and
9 he told the other dozer operators the same
10 thing.

11 Q. So he gave instructions to the dozer
12 operators?

13 A. Yes, he told you what he was to do and
14 if you didn't like it, get off my property.

15 Q. What types of instructions did he give
16 you?

17 A. He told you the grade that he wanted.
18 He told you how he wanted that piece of ground
19 leveled. You didn't tell him.

20 Q. Did he tell you which part of the
21 landfill that the dumping should be at?

1 A. He would tell you wherever he wanted
2 you to level that piece of ground up, wherever he
3 wanted you to dump. He told you where to push.

4 Q. Did he ever tell you not to dump
5 somewhere?

6 A. No. Yes, he did tell me that. He did
7 tell me one time, they pushed too far over on
8 railroad property and he told me don't dump over
9 there no more until I get the lines straightened
10 out, some sort of property lines. He must have
11 thought he owned all that ground up in there and
12 I thought so too and I'm pushing.

13 And finally, he stopped me. He said
14 don't push no more over there. Move down front
15 until I get it straightened out.

16 And him and my brother went up there on
17 the hill and stayed up there for a long while and
18 we moved down.

19 Q. So then he met with your brother?

20 A. And then him and Fritz, I don't know
21 what happened, they went away and whatever they

1 done, I don't know. But they come back maybe
2 about a month's time and we started pushing back
3 up there again.

4 Q. Did you ever see your brother meeting
5 with anybody from Robb Tyler?

6 A. No. I think he would meet with Allie
7 Tyler sometimes. He would talk to him. He would
8 come over there in and out.

9 Q. Your brother Fritz met with Allie Tyler?

10 A. Yes, he would come in and out.

11 Q. Did you see your brother meeting with
12 Allie Tyler?

13 A. They wouldn't meet. Allie would come
14 in and check and see how the trucks was doing,
15 check on his man and away he would go. Sometimes
16 he would talk to Fritz, sometimes he wouldn't.

17 Q. Did you ever see Robb Tyler at your
18 brother's landfill?

19 A. No. You mean Mr. Tyler? Well --

20 A. You have the son and the father.

21 Q. Right.

1 A. The father, no.

2 Q. What was the father's name, do you
3 know?

4 A. I don't know.

5 Q. But you are referring to Allie's
6 father?

7 A. I don't know Mr. Tyler's name.

8 Q. But did Allie's father sometimes check
9 on the landfill as well?

10 A. No, the boy come all the time.

11 Q. You had mentioned that Mr. Landay was
12 at the landfill approximately four times a week.
13 Approximately how often was Mr. Azrael at the
14 landfill, do you know?

15 A. I do not know Mr. Azrael and I would
16 not know him if I seen him. I don't know. But
17 now I have heard through my brother that Mr.
18 Azrael came up sometimes, but I never seen him.
19 I never had no dealings with him.

20 Q. Approximately how often did you see
21 Allie Tyler at the landfill?

1 A. Maybe once or twice a week he would
2 come over and check on his operator that was over
3 there and how things was going.

4 Q. Was this during the entire time period
5 that you worked for Fritz?

6 A. The whole time that Robb Tyler was
7 dumping over there was the period that he would
8 come over there. He would stop in, see the
9 operator, talk to me and away he would go and he
10 would make his rounds.

11 MR. BECK: Are you referring to
12 Smitty?

13 A. Yes, he would come in and check with
14 Smitty and ask him how he was doing and all the
15 trucks were coming in and out and going, talk to
16 me a little bit and away he would go.

17 Q. Do you know who Fritz would make
18 business arrangements with at Robb Tyler?

19 A. No.

20 MS. MARKS: I don't have any more
21 questions.

1 MS. CASANO: Any of the original
2 defendants?

3 MR. BECK: Yes.

4 EXAMINATION BY MR. BECK:

5 Q. Mr. Sauer, was the Quad Avenue Landfill
6 ever opened and accepting trash on the same day
7 as the North Point dump, Fritz's Landfill was
8 opened and accepting trash?

9 A. I don't know. I don't know what day he
10 closed and I don't know what day Fritz opened.
11 You would have to check with the Tyler's.

12 Q. Was there a period, sir, of four years
13 when the Quad Avenue Landfill was open and the
14 North Point landfill was open, Fritz's Landfill?

15 A. I don't know. All I know is when it
16 closed, all the trucks came over to Fritz's
17 place. Now when it went and when it didn't, I
18 don't know because you are going back 25 years
19 ago.

20 MR. BECK: That is all.

21 MS. CASANO: Any third party

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defendant?

(No response.)

MS. CASANO: Mr. Sauer, we are
concluded.

(Examination concluded -- 2:45 p.m.)

LOUIS W. SAUER

1 I N D E X O F W I T N E S S E S

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Sauer

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Submitted 2/22/70

This application must be in your own handwriting. To receive proper consideration, all questions on both sides of this form must be answered.

Application for Employment

FOR OFFICE USE ONLY
Application Filed.....
Application Accepted.....
Clock No.....

Date 3-3-70

Name in Full LOUIS - WILLIAM - SAUER SOCIAL SECURITY A/C No. 213-32-9184
Present Address 2128 Summit ave Phone {Own } 866-4945
City Baltimore State MD ZIP CODE 21237

How long have you lived in this City? 38 in this State? 38 Are you a citizen of United States? YES

Last previous address 2128 Summit ave

Date of Birth Nov 5 31 Height 5ft 6in Weight 165 Sex Male

Married Single Divorced Separated Widowed

How Many Persons do you Support? Wife 1 Children 1 Others _____

Have you any "sideline" business interests? yes Explain _____

Do you own your home? yes Do you own other Real Estate? yes Do you own Automobile? yes

Kind of work desired _____ Wages Expected _____ Per Hour

Previously employed here? _____ From _____ to _____ Dept. _____

Have you Any Relatives or Friends in Our Employ? { Name none
Name _____

In case of Emergency notify Ana Lee Sauer Phone 866-4945

Address 2128 Summit ave City Balti State MD

EDUCATION	Name and Location of School	No. of Years Attended	Course of Study		Did You Graduate?	Date of Leaving	
			General	Special		Mo.	Yr.
Grammar School	<u>222 Orangeville</u>	<u>7</u>	_____	_____	_____	_____	_____
High School							
College or University							
Night School							
Trade, Business or Correspondence School							

What Foreign Language do you understand? None

Have you served an apprenticeship? No How long? _____ Trade? None

Where served in U.S.? No When served? None

Mechanical Experience _____

DEPOSITION EXHIBIT
2
11-4-91

EMPLOYMENT HISTORY: - Give Names and Addresses of ALL Previous Employers (including civil service)

If you are now working, present employer and reason for desire to quit must be included.

Also give reason for lapse of time where a period of termination of one place of employment does not fit into the next place of employment.

Employers Name and Address	Kind of Work	Wages Per Hour	Date Started	Date Left	Reason for Leaving

What Physical Defects have you? None

Were you ever injured at work? No Nature of injury _____

Do you Wear Glasses? No Is your Hearing Good? yes Your Speech? yes

Additional Remarks: _____

Have you ever served in the Armed Forces of the United States? No

State Rank and Branch of Service None

Date of Discharge _____ Reason _____

Are you now employed? yes Where? _____

I agree that any false statement in this application shall be sufficient cause for rejection or dismissal. I hereby grant permission to investigate any of the information included in this application and to submit to medical examination if required. The use of this blank does not indicate there are positions open and does not in any way obligate this Company.

Witness _____ Sign Here Lani Willison
 Signature of Applicant

DO NOT WRITE BELOW THIS LINE

INTERVIEW (Yes or No) _____ Date _____ Hour _____

Result of Interview _____

Acceptable for Employment? _____ Starting Rate _____ Starting Date _____ Shift _____

Occupation _____ Dept. _____ Clock No. _____

Interviewed by _____ Employed by _____

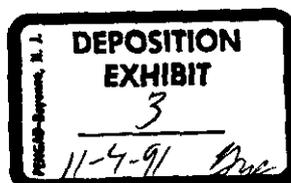
Approved by _____

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SENIORITY LIST

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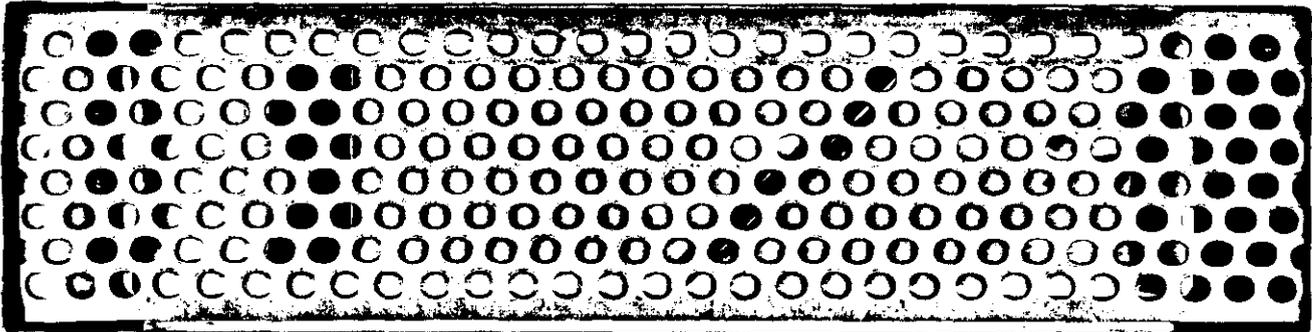
6 -19- 41	WALTER WILLIS	6 -28- 66	R. C. JACKSON
11 -13- 44	MELVIN BUTLER	7 - 5- 66	G. I. CHANEY
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6 -18- 57	JOSEPH PEYTON	1 - 7- 69	P. J. CHAELLOU
6 -26- 57	EARL BOSWELL	3 -18- 69	CHARLES NATHANIEL
8 - 8- 57	WADE FEATHER	9 - 6- 69	E. B. DORSEY
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5 - 6- 60	JAMES DOGGETT	9 -22- 69	R. L. WILLIAMS
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8 -29- 61	WILBERT TAYLOR	2 -19- 70	F. R. BURRELL
9 - 3- 61	WILLIAM SCOTT	4 -10- 70	C. E. DELP
9 -26- 63	ELWOOD ELMORE	4 -14- 70	J. BATTLE
8 - 7- 63	FRANCIS JENIFER	7 -13- 70	R. FRIERSON
4 -15- 64	EDGAR SMITH	7 -20- 70	W. MYERS
5 -20- 64	ROBERT TROUT	8 -20- 70	H. J. BRICE
9 - 8- 64	JOHN CONION	9 - 3- 70	K. E. CODY
11 - 4- 64	W. SAVAGE	9 - 8- 70	S. HEYWARD
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3 -30- 65	BERNARD SCHMIDT	10 -30- 70	W. WARREN
4 - 2- 65	WILLIAM DAVIS	11 -17- 70	J. CROCKETT
6 -23- 65	ALBERT CHASE	1 -11- 71	D. VANCE
6 -29- 65	HENRY CURETON	3 -15- 71	DU MAN CHUNG
7 - 6- 65	ANDREW RAGSDALE	4 - 5- 71	T. McMILLAN
7 -19- 65	DEWEY BARHAM	4 -15- 71	G. KEMP, JR.
8 -27- 65	JAMES SPARKMAN	5 -15- 71	L. SAUER



SENIORITY LISTPAGE 2

5 -24- 71	M. MOORE	9 -20- 71	C. THARP, JR.
6 -23- 71	R. CONNER	9 -20- 71	G. FULLER
6 -28- 71	C. Y. SO	10 -12- 71	E. V. RANSON
7 - 2- 71	J. LEWIS	10 -25- 71	J. McQEE
8 -13- 71	W. BAYLOR	10 -26- 71	J. CULLINGS
8 -16- 71	C. S. CHANG	11 -15- 71	C. McCARTNEY
8 -17- 71	T. BEARD	11 -22- 71	G. COOK
9 - 1- 71	J. ADELUNG	12 -27- 71	D. KEITH

11 - 7- 60	S. DOGGETT
11 - - 61	J. BARNES
6 - 1- 63	J. BOBBITT
3 - 6- 67	J. BRANCH
7 - 5- 67	B. JOHNSON
11 -27- 67	D. THOMAS
4 -18- 68	A. WARREN
2 -17- 70	G. NIXON
3 -12- 70	D. TAYLOR
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11 -21- 70	J. JONES
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2 - 1- 71	W. JONES
2 -24- 71	P. WALTERS
3 - 9- 71	G. TROGDEN
4 -14- 71	T. S. SUNG
7 -21- 71	A. BROWN
7 -29- 71	H. NORRIS
9 -16- 71	C. WILLIAMS
9 -30- 71	L. WRAY
11 -26- 71	W. EDWARDS



MEDICAL EXAMINER'S CERTIFICATE

This is to certify that I have this day examined

Louis W. Sauer

[Driver's name (Print)]

In accordance with the Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and with the knowledge of his duties, I find him qualified under the regulations.

Qualified only when wearing corrective lenses

A completed examination form for this person is on file in my office at

338 W. Pratt St. 21201

[Address]

6-17-71

Elliott R. Fishel, M.D.

[Date of examination]

[Name of examining doctor (Print)]

[Signature of examining doctor]

X **Louis W. Sauer**

[Signature of driver]

2128 Summit Avenue 21237

[Address of driver]

ATA Form CD740

Reprinted by American Trucking Assns., Inc.

DEPOSITION
EXHIBIT
4
11-4-91 Bck

RECEIVED JUN 22 1971

PHYSICAL EXAMINATION FORM (MEETS DEPARTMENT OF TRANSPORTATION REQUIREMENTS)

ATA Form C0730 - Reorder from: American Trucking Assns., Inc. 1616 P Street, N.W. Washington, D.C. 20036 12-70

To Be Filled In By Examining Physician (Please Print):

New Certification []

Driver's Name Louis W. Sauer 2128 Summit Avenue 21237 Recertification [X]

Soc. Sec. No. Co. has S.S. # nt. lost card Date of Birth 11-5-31 Age 38

Health History:

Health history grid with Yes/No columns for Asthma, Kidney disease, Tuberculosis, Syphilis, Gonorrhoea, Diabetes, Nervous Stomach, Rheumatic Fever, Muscular disease, Psychiatric disorder, Cardiovascular disease, Gastrointestinal ulcer, Head or spinal injuries, Seizures, fits, convulsions, or fainting, Extensive confinement by illness or injury, Any other nervous disorder, Suffering from any other disease, Permanent defect from illness, disease or injury.

If answer to any of the above is yes, explain: None

General appearance and development: Good [X] Fair _____ Poor _____

Vision: For Distance: Right 20/ 20 Left 20/ 25 [X] Without corrective lenses [] With corrective lenses, if worn Evidence of disease or injury: Right None Left None Color Test Normal Horizontal field of vision: Right 120 Left 120

Hearing: Right ear 15/15 Left ear 15/15 Disease or injury None

Audiometric test: (if audiometer is used to test hearing) Decibel loss at 500 Hz _____ at 1,000 Hz _____ at 2,000 Hz _____

Throat: Normal

Thorax: Heart Normal sinus rythmn If organic disease is present, is it fully compensated? _____ Blood pressure: Systolic 130 Diastolic 90 Pulse: Before exercise 84 Immediately after exercise 112 Lungs Clear

Abdomen: Scars None Abnormal masses None Tenderness None Hernia: Yes _____ No [X] If so, where? _____ Is truss worn? _____

Gastrointestinal: Ulceration or other disease Yes _____ No [X]

Genito-Urinary: Scars None Urethral discharge None

Reflexes: Romberg Negative Pupillary Normal Light R Normal L Normal Accommodation Right: Normal Left: Normal Knee jerks: Right: Normal [X] Increased _____ Absent _____ Left: Normal [X] Increased _____ Absent _____

Remarks: Upper Normal Lower Normal Spine Normal

Extremities: Urine: Spec. Gr. 1.020 Alb. Negative Sugar Negative

Other Special Findings: Other Laboratory Data (Serology, etc.) _____ Electrocardiograph _____

MEDICAL EXAMINER'S CERTIFICATE

I certify that I have examined

Louis W. Sauer

(Driver's name (Print))

In accordance with the Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and with the knowledge of his duties, I find him qualified under the regulations.

[] Qualified only when wearing corrective lenses

A completed examination form for this person is on file in my office at

338 W. Pratt St. 21201

Address

6-17-71 Elliott R. Fishel, M.D.

(Date of examination) (Name of examining doctor (Print))

(Signature of examining doctor)

(Signature of driver)

2128 Summit Avenue 21237

(Address of driver)

The following to be completed only when the visual test is conducted by a licensed optometrist.

[Date of Examination]

[Name of Optometrist (Print)]

[Address of Optometrist]

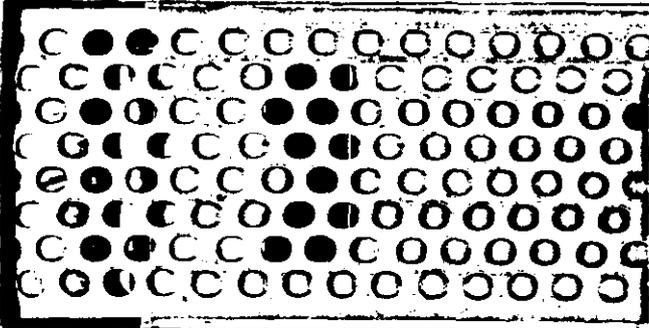
[Signature of Optometrist]

DEPOSITION EXHIBIT

5

PHICAP-Exposure, N. I.

11-4-91



(INSERT CARBON PAPER TO OBTAIN DUPLICATE COPY)

EMPLOYER'S STATEMENT

PERTAINING TO CLAIMANT NAMED ON REVERSE SIDE
YOU ARE REQUIRED TO ANSWER THE QUESTIONS
APPEARING BELOW. YOUR ANSWERS MAY AFFECT
CLAIMANT'S ELIGIBILITY FOR BENEFITS.

INSERT YOUR MD. EMPLOYER NO. _____

LAST DAY OF WORK 7/5/79

REASON FOR SEPARATION

LACK OF WORK CODE

OTHER - EXPLAIN BELOW

Strike

16-11
2
DEPOSITION EXHIBIT

HAS HE RECEIVED FOR THE PERIOD FOLLOWING
HIS LAST DAY WORKED:

PENSION: PER MONTH \$ _____ EFFECTIVE DATE _____

DID YOU CONTRIBUTE ALL PART NONE

VACATION PAY: \$ _____ DATE PAID _____

SEVERANCE PAY: \$ _____ DATE PAID _____

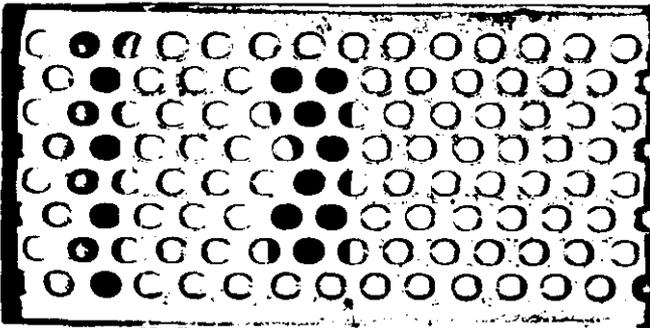
WEEKLY WAGE \$ 253.20 HOURLY RATE \$ 6.33

ENTER THE AMOUNT OF EARNINGS FOR THE CALENDAR WEEK WHICH
INCLUDES THE LAST DAY OF WORK. \$ 1103.92

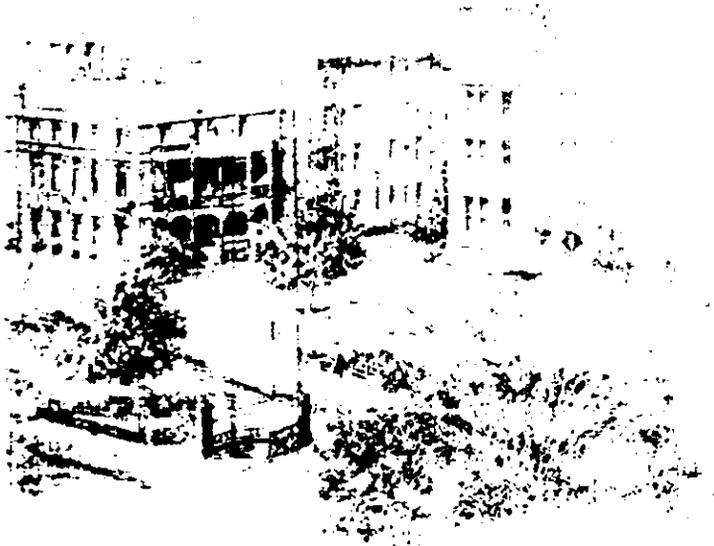
DID EMPLOYEE WORK ALL AVAILABLE HOURS
DURING THE ABOVE WEEK? YES NO

TRADE NAME OF EMPLOYER Brown Tapes Inc

BY Shirley Clark Payne TITLE DATE 7/16/79



YELLOW PAGES



The C & P Telephone Company
of Maryland

Part of the Nationwide Bell System

SPORTS PAGES 4 AND 5

DEPOSITION
EXHIBIT
7
11-491 *By*



INDEX-PAGE 13

USE SERVICE
 1949 - ANDREW SERIO, OWNER
 PRICE IS OUR MAIN PRODUCT
 NY 4-2635

CITY WIDE
 RESIDENTIAL
 COMMERCIAL INDUSTRIAL
 CEMENT - WRECKING
 HAULING
 YARD CLEANING
 JOB TOO LARGE OR
 TOO SMALL
 7 - WEEK - CONTRACT
 CALL
 116 HWY 8
 25 HOLE RD 647-1171

ANK P R & SONS INC.
 915 S Eden BR 6-1222
 Advertisement (This Page)
 1510W Perry Ct 728-0084

TYER & SON
 TRASH REMOVAL
 FACTORY - STORE - HOME
 75 BY TR OR INDIVIDUAL JOBS
 728-0084

HAULING CO
 Waste - Contract Service
 648-1202

EMERALD CO
 TRASH
 RUBBISH
 WASTE REMOVAL
 SHOPPING CENTERS
 BUILDINGS
 RESTAURANTS
 FULLY HYDRAULIC
 7 - WEEK - CONTRACT
 REASONABLE PRICES
 EMER 355-7678

303 Malvern Av 426-6344
 9 6721 Pulaski Hwy BR 6-6843
 1415 Cherry EL 5-6159
 Advertisement (This Page)

EL CO
 LAL RESIDENTIAL - INDUSTRIAL
 LENER SERVICE AVAILABLE
 SEE AD THIS HEADING
 EL 5-6159

SERVICE CO 881 Parkway 539-4044
 4000 Co 5434 E Park 732-1117

SO REMOVAL CO
 HOMES - FACTORIES - CLEANED
 SERVICE - NO JOB TOO SMALL
 732-1117
 7-4259

IS CO
 IDENTICAL - COMMERCIAL
 No Trash In Our Business
 PL 2-8678
 NY 7-6578

Wash Removal
 2205 W Hamburg 685-8825

of This Classification
 Abbled Headers
 Made in West Carolina

COMPACTION CONTAINERS
 LARGE VOLUMES REDUCED BY COMPACTION
R & H Carting Co., Inc.
633-4374
 5400 O'DONNELL ST

17 YEARS EXPERIENCE
HERBERT C. ROBERTSON, INC.
 TRASH & RUBBISH REMOVAL
 INDUSTRIAL - COMMERCIAL
 RADIO
 DISPATCHED

 CONTAINER SERVICE AVAILABLE
675-4800
 825 N. NEWKIRK ST.

TRASH REMOVAL - SERVICE
 PROMPT CLEAN-UPS
 REFUSE REMOVED THE
 MODERN WAY
MODERN TRASHMOVAL, INC.
 ORLEANS 5-3060
 928 S. CAROLINE ST. BALTIMORE 31, MD.

ROBB TYLER INC.
 "WE NEVER REFUSE REFUSE"
 MODERN
 CONTAINER
 SERVICE
 NOW SERVING OVER 2,000
 CUSTOMERS IN COMMERCIAL AND INDUSTRY
 1 TO 40 CUBIC YARDS CAPACITY
MU 6-6161

CURTIS REFUSE CO.

 CONTAINER SYSTEM
 Commercial - Industrial
 Residential
ELgin 5-6159
 W No Answer Call 255-3114
 1415 CHERRY
 FRANCIS OCHS - Prop.

FRANK P. R. BOHAGER & SONS INC.
 SINCE 1934

 Complete
 LINE OF MECHANIZED
 CONTAINER SERVICE
STATIONARY PACKERS
 FAST SANITARY SYSTEMS
BR 6-1221
 515 S. EDEN

Brand Names
 Why shop blind-
 folded when the brand
 you want is listed in
 these Yellow Pages
 with the names of the
 local dealers?

SPECIAL CLEANUPS - CONTRACT SERVICE
REFUSE REMOVED THE MODERN WAY
 *See Our Display Ad. This Page
 920 S. Caroline OR 5-3060

Mc Clean-Up 2205 W Hamburg 685-8825
NORTH POINT TRASH REMOVAL
NORTH POINT TRASH REMOVAL
 ALL KINDS OF TRASH COLLECTION
 CONTRACT BY THE LOAD
 306 N. NorthPointRd 633-2056
 If no answer call 288-3265

Ochs Francis 1415 Cherry EL 5-6159
R&H Carting Co Inc 5400 O'Donnell 633-4374
 (See Advertisement This Page)

R&H CARTING CO INC
 COMPACTION CONTAINERS
 See Our Large Display Ad This Hdr.
 5400 O'Donnell 633-4374

REFUSE DISPOSAL INC
 DISPOSAL OF COMMERCIAL &
 INDUSTRIAL WASTE
 Pulaski Hwy 6644h MU 6-6161

ROBERTSON HERBERT C INC
 "From A Can To A Truckload"
TRASH REMOVAL
 Stores - Yards - Cellars
 Factories - Warehouses - Hospitals
 Fire Damage Clean Up
RADIO DISPATCHED - LOW COST
 *See Our Display Ad. This Page
 825 N Newkirk 675-4800

SERIO ANDREW 2501 Ranger 943 4-2635
SERIO GEO
 TRASH REMOVAL
 COMMERCIAL & INDUSTRIAL
 721 Montgomery Rd 465-2680

SPADLIN EARL E
 Basement - Yard Cleaning - Wrecking - Hauling
 2130 E Fayette 327-7585

TOWNE & COUNTRY WRECKING & SALVAGE CO
 ANY TYPE OF RUBBISH - JUNK -
 OR DEBRIS PROMPTLY REMOVED
 Special Attention Given
 Warehouses - Stores
 Fire Jobs & Insurance Work
 Beaver Dam Rd 666-1322
 If no answer call MD 6-2323

Tyler Robb Inc Pulaski Hwy 6644h MU 6-6161
 (See Advertisement This Page)

TYLER ROBB INC
 WE NEVER REFUSE REFUSE
 See Our Ad This Heading
 Pulaski Hwy 6644h MU 6-6161

WASTE DISPOSAL INC
 Dome Located - Reedbird Av & 840 RR
 Pulaski Hwy 6644h MU 6-6363

Rug Binding Machines
 See "Carpet & Rug Binding Machines"

Rug Carving
 See "Carpet Workrooms"

Rug Cleaners
 See "Carpet & Rug Cleaners"

Rug Cleaning Equipment & Supplies
 See "Carpet & Rug Cleaning Equipment & Supplies"

Rug Dealers
 See "Carpet & Rug Dealers"



The C & P Telephone Company of Maryland

BALTIMORE YELLOW PAGES



DEPOSITION
EXHIBIT
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11-4-91 *BA*

May 1966

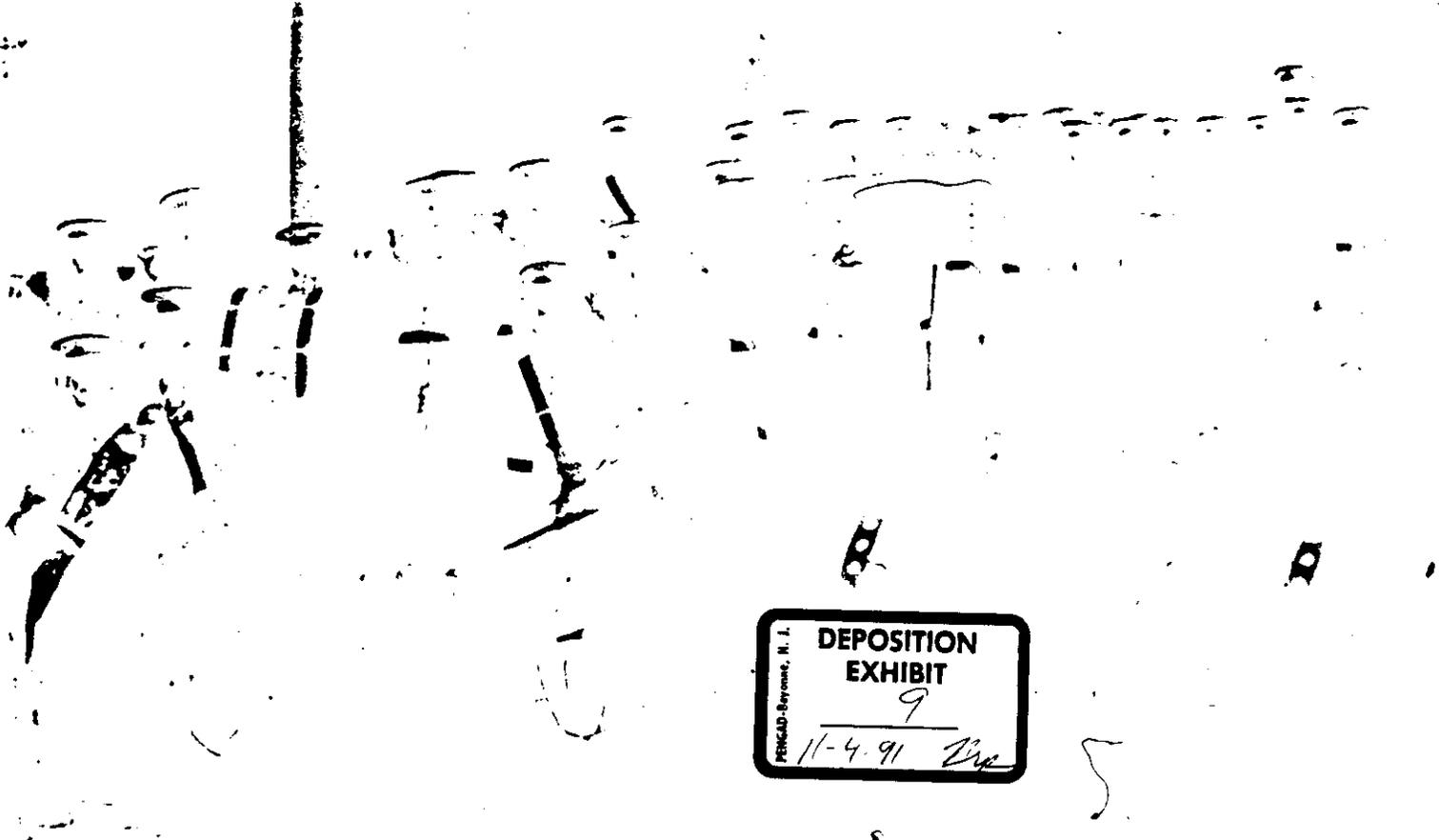


BEFF & HONNETT 205511

Baltimore Yellow Pages

AREA CODE 301

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DEPOSITION
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9
11-4-91 *DR*



MAY, 1967

Factories - Warehouses - Hospitals
Fire Damage Clean Up
RADIO DISPATCHED - LOW COST
*See Our Display Ad. This Page
825 N Newkirk ----- 675-4800

SERIO ANDREW 2501 Boney ----- MU 4-2635
SERIO GEO
TRASH REMOVAL
COMMERCIAL & INDUSTRIAL
722 Montgomery Rd ----- 465-2600

SPRADLIN EARL E
Basement - Yard Cleaning - Wrecking - Hauling
2130 E Fayet ----- 527-7503
Tyler Robb Inc Pulaski Hwy 2466th ----- MU 6-6161
(See Advertisement This Page)

TYLER ROBB INC
WE NEVER REFUSE REFUSE
See Our Ad This Week
Pulaski Hwy 2466th ----- MU 6-6161

TIMESAVING TELEPHONE TIP! When the landlord says "it's your move" - it's time to look in the **YELLOW PAGES**. You'll find real estate dealers, builders and movers - plus most of the services and supplies you'll need in your new home. Shop Yellow Pages for **ACTION**.

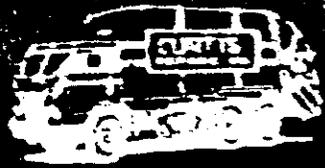
ROBERTS ORG
TRASH & RUBBISH REMOVAL
INDUSTRIAL - COMMERCIAL

RADIO DISPATCHED

CONTAINER SERVICE AVAILABLE
675-4800
825 N. NEWKIRK ST.

REFUSE REMOVED THE MODERN WAY
MODERN TRASH/NOVAL, INC.
355-7400
NINTH & BALTIC AVE

ROBB TYLER INC.
"WE NEVER REFUSE REFUSE"
MODERN
COMPACTION CONTAINER SERVICE
"Action With Compaction"
NOW SERVING OVER 7,500
CUSTOMERS IN COMMERCE AND INDUSTRY
2 TO 40 CUBIC YARDS CAPACITY
MU 6-6161

CURTIS REFUSE CO.

CONTAINER SYSTEM
Commercial - Industrial
Residential
ELgin 5-6159
If no answer call 253-3114
1415 CHERY
FRANCIS OCHS - Prop.

NORTH POINT TRASH REMOVAL
RESIDENTIAL - COMMERCIAL
INDUSTRIAL
ALL KINDS OF
TRASH COLLECTION
• CONTRACT • BY THE LOAD
ANYWHERE - ANY TIME
WE CLEAN
BASEMENTS &
YARDS
633-2056
If no answer call
288-3265
306 N NORTH
POINT RD

VOLUME RUBBISH REMOVAL
USE OUR
COMPACTION CONTAINERS
TO REDUCE VOLUME
& CONSERVE SPACE
R & H CARTING CO INC
686-9555
(REAR) 7400 PULASKI HWY.


Advertisement in the Yellow Pages
FOR ACTION

Bag Renting
See "Carpet & Bag Renting"
Bag Repairing
See "Carpet & Bag Renting"
Bag Weavers
See "Carpet & Bag Renting"
Bags-Linoleum
See "Linoleum" heading
Bags-Mats & Wool
See "Carpet & Bag Renting"
Bags-Oriental
See "Carpet & Bag" heading
Bag Proofing
BALTIMORE MUSTPOD
See Display Ad Under
499 & Easter -----
If no answer call
ZIEBART TRUCK & AU

NEED A NU
directory of
sonal numb
calling "Info

Hand and the that's Trimming
Pick up the
and the
your finger
the econom
Call the
Or see ye

704 Saddlery & Harness - Safes & Vaults - Repairing

Saddlery & Harness
Boswell Andrew I
Supplies - English & Western Saddlery
NEAR BELAIR MARKET -
MILLEN STREET

Safe Deposit Box Rental
American National Bank of Maryland
600-8000
Armed Federal Savings & Loan Assoc
P.O. Box 1100
BALTIMORE, MD 21202

Safes & Vaults (Cont'd)
Erie & South C 313 W Bond ----- SA 7-8064
WERRING-HALL-MARTIN SAFES

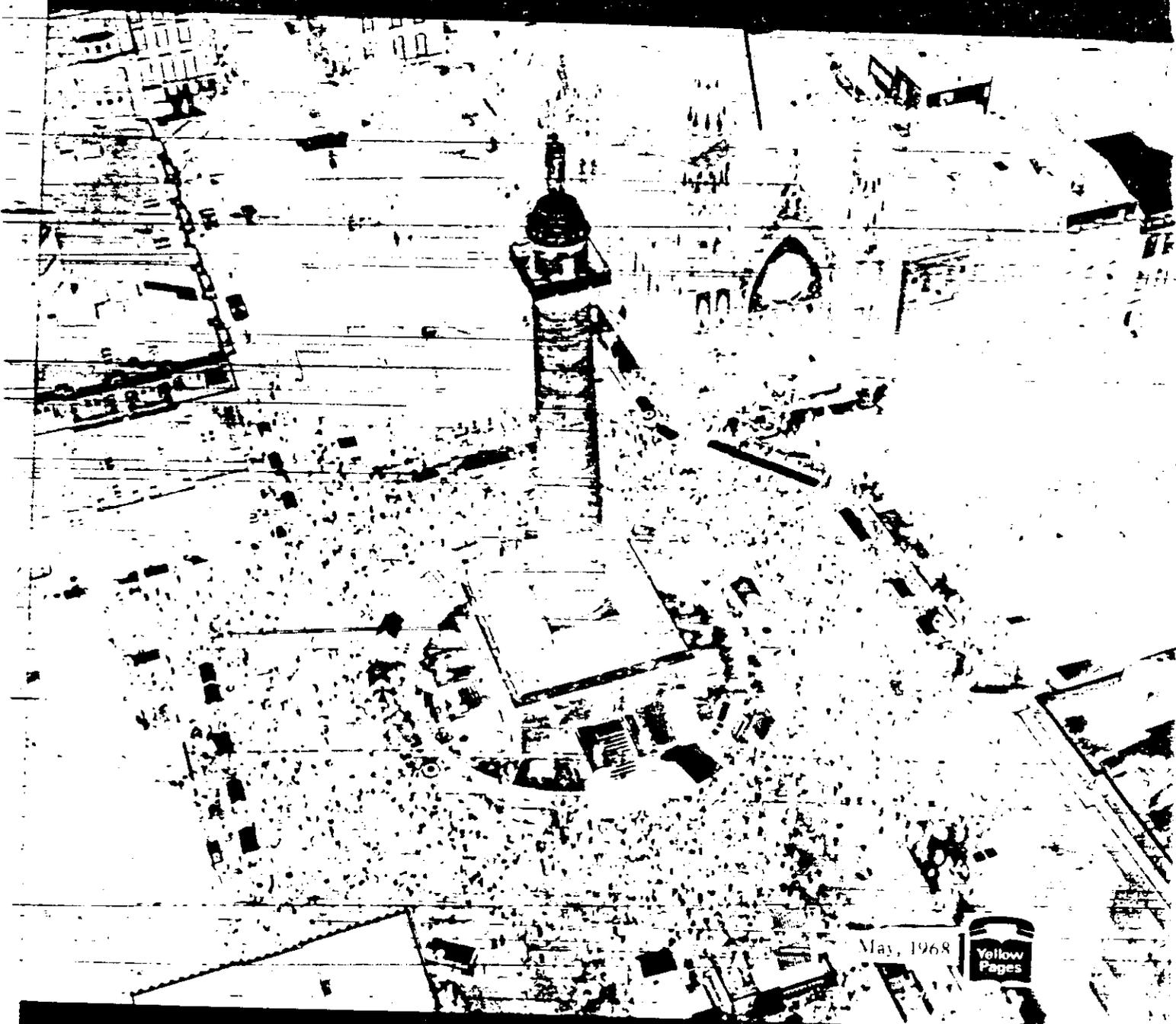
MISLER SAFE SA
INSULATED FIRE
RECORD SAFES
MONEY SAFES
HARDY DOORS
ROTARY CASES

The C & P Telephone Company of Maryland



Baltimore City Yellow Pages

AREA CODE 301



May, 1968

Yellow Pages

DEPOSITION
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10
11-4-91 *Wop*

FLOWER MART . . . Cover Story: See inside back cover

ROBB TYLER INC.

"WE NEVER REFUSE REFUSE"

MODERN COMPACTION CONTAINER SERVICE

"Clean With Compaction"

NOW SERVING OVER 2,500 CUSTOMERS IN COMMERCE AND INDUSTRY

2 TO 40 CUBIC YARDS CAPACITY

686-6161

CURTIS REFUSE CO.



CONTAINER SYSTEM

Commercial — Industrial
Residential

355-6159

10 No Avenue, Cal. 255-3114

FRANCIS OCHS - Prop.

NORTH POINT TRASH REMOVAL

- OFFICE BUILDINGS
- COMMERCIAL
- MISCELLANEOUS HAULING
- APARTMENTS
- MOBILE HOMES
- RESIDENTIAL

TRASH COLLECTION
CONTRACT • BY THE LOAD
ANYWHERE - ANY TIME

ONE PLACE CONSIDER!
633-2056
24 hr. emergency call
782-3265
300 N. NORTH POINT RD.



Subscribed in the Yellow Pages

FOR ACTION

Rubbish Removal (Cont'd)

ROBERTSON HERBERT C INC.

"From 1 Ton To 4 Truckload"

TRASH REMOVAL

Factories - Warehouses - Homesites
Fire Damage Clean Up

RADIO DISPATCHED - LOW COST

"See Our People For Precise Job"

825 E. 42nd St. • 675-8800

SANITATION SPECIALISTS

SEBIO ALEXANDER

SEBIO GED

COMMERCIAL & INDUSTRIAL

TYLER ROSS INC.

Bag Binding Machines

Bag Carving

Bag Cleaners

Bag Cleaning Equipment & Supplies

Bag Dealers

Bag Divers

Bag Embossing

Bag Folds

Bag Handling

Bag Repairing

Bag Weavers

Bags-Linear

Bags-Mix & Weal

Bags-Oriental

Bales

LUEN IN TUNG & TAM & SONS

111 LEONARD CO. 1301 Livingston • 465-1488

A little time between calls means better telephone service for everyone on your party line.

Rest Proofing

BALTIMORE RUSTPROOF CO.

409 E. Lister • 695-3151

727-4252

ZIEBART AUTO-TRUCK RUSTPROOFING

Only 7.00 rest protect your entire car from rust destruction. Ziebart's special rust proofing is done by hand using Ziebart's special rust proofing solution. Let us tell you about our complete rust proofing.

"HERE TO HELP"

BALTO PAINT REMOVER & MOTOR OIL

251 724

Saddlery & Harness

WILSON SADDLERY

720-9720

CAROL'S WESTERN APPAREL

720-9720

WILSON SADDLERY CO.

WILSON SADDLERY

720-9720

WILSON SADDLERY

WILSON SADDLERY

720-9720

WESTY SADDLERY & HORSE CO.

WESTY SADDLERY

902-1243

WORLD COMMERCIAL SUPPLY

WORLD COMMERCIAL SUPPLY

720-9720

Vordemberges SADDLERY

Manufacturers & Importers



728-1886

314-816 MADISON AV. AT RIDGLE ST

Safe Deposit Box Rental

American National Bank of New York

720-9720

EQUITABLE TRUST BANK

727-2222

FIRST NATIONAL BANK OF BALTIMORE

727-4800

MARYLAND NATIONAL BANK

985-9700

SAVINGS BANK OF BALTIMORE

594-2200

WELLS FARGO TRUST CO. OF MD.

529-0271

Bank-Branch

Bank-Head

324-2200

Bank & Trust

324-2200

WORLD COMMERCIAL SUPPLY

WORLD COMMERCIAL SUPPLY

720-9720

Continued on Next Page

11-4-91
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PINKALD, Bryson, N. J.

BALTIMORE, THE NATIONAL ANTIEM CITY
COURT STORY: See inside back cover
COURT SECTION: See Pages 4 to 16
DISCOVERY: See Pages 17 to 20
REPORTS: Pages 21 through 24

MAY 1989



AREA CODE 301

BALTIMORE CITY YELLOW PAGES

The P. & T. Telephone Company of Maryland



Rubber & Plastic Stamps (Cont'd)

LINDALE RUBBER STAMP CO
Rubber Stamps Made on Special Machine
Our Factory Out of High Speed District
4411 Highway 101
335-3333

Larkin Bros Inc. 721 F. Rd. 480-3000
MODERN STAMP MFG CO
704 E. 8th St. 480-0505
(See Advertisement Opposite Page)

MYERS STAMPS
The Service Stamp
CHASE E. MYERS CO.
RUBBER STAMPS
485-5957
319 1/2 Broadway 485-5957

Northway Stationery Co. 7101 4th Street 585-1940
SAIARETC AND CO INC
6427 Broadway/McDonald Pl. 747-3500

STATE OFFICE SUPPLY CO
104 East 9th St. 782-0210

TINSON STATIONERS INC
27 W. Chesapeake 825-4500
Belmont Stationers Inc. 25-08 N. Omaha 489-2786

Rubber Printing Plates

See "Engraving—Plates"

Rubber Rollers

See "Rubber—Rollers, Metal Roller Etc"

Rubber Tann Lining

INDUSTRIAL COATINGS INC
7057 Franklin Ave. 435-7500
INDUSTRIAL ROLL CO INC
16 1/2 Franklin 477-4994

WILLIE RUBBER INC 7010 1/2 Ave. 389-4330
RUBBER MILLERS INC 709 S. Omaha 943-0900

Rubber Ties

See "Rubber—Ties"

Rubbish Removal

ARMY'S REFUSE SERVICE
EST 1949 ANDREW SERIA OWNER
CONTAINER SERVICE AVAILABLE
8501 Broadway 644-2335

BECKER MALPIN & CO INC
ALL SIZE COMPACT DUMPSTERS
RUBBISH CONTAINERS & RELATED
EQUIPMENT SOLD OR LEASED
807 1/2 Franklin 485-1555

BIRD Z ENTERPRISES
27 1/2 W. 14th East 8th Street 435-9251
N. 8th Street

BRIDGES FRANK P & SONS INC
510 S. 15th 276-2222
(See Advertisement This Page)

BROWN & SON TRASH REMOVAL
ANY QUANTITY
RUBBISH & TRASH
REMOVED
• STORES • SHIPPING CENTERS
• HOMES • YARDS
• BASEMENTS • SERVICE STATIONS
JOB OR CONTRACT
2221 E. 8th St. 482-7558

Bobby Lewis J. 230 Main Street 445-4594

BOLEY'S TRASH REMOVAL
RUBBISH & TRASH
REMOVAL
SINGLE JOB OR CONTRACT
— STAIRS
— ALL'S
— BOWLS
— CELLARS
— PAVING STAIRS STAIRS
130 Main Street 482-8944

Listing of This Classification
Rubbish Removal
(See Continued on Next Page)

Rubbish Removal (Cont'd)

DELEGATE RAY BUMP
RUBBISH STAMPS & PHOTOGRAPHS CLEANED
6721 Broadway 485-2988
Carlin Refuse Co. 1415 Cherry 355-6159
(See Advertisement This Page)

CURTIS REFUSE CO
COMMERCIAL RESIDENTIAL INDUSTRIAL
CONTAINER SERVICE AVAILABLE
SEE OUR AD THIS HEADING
1415 Cherry 355-6159

Economy Trash Removal Co. 5034 E. 8th 480-1117

ECONOMY TRASH REMOVAL CO
RUBBISH STAMPS & PHOTOGRAPHS CLEANED
24 HOUR SERVICE - NO JOB TOO SMALL
5034 E. 8th Street 480-1117
Dr. Call For Details 480-9932

Garrett 16th St. 1190 W. 8th St. 772-3875

GOODIE MAILING CO
PRINTING OF BY THE LOAD
1144 1/2 Ave. 752-8678
Rubbish call 947-6571

HILL BERNARD
TRASH & RUBBISH MAILING
TAPES & RECORDS CLEANED
BY CONTRACT OR LB
5714 Broadway 367-3840

Holmes Refuse Service 7112 Broadway 825-5843
K. W. Trash Removal 2295 W. 11th Street 485-8025
L. A. Trash Removal 3021 Car. 4th 488-3887
(See Advertisement This Page)

Miller Trash Removal Inc. 97-68 1/2 Ave. 755-7400

MODERN TRASHREMOVAL INC
SPECIAL CLEANERS CONTACT SERVICE
REFUSE REMOVED THE
MODERN WAY
*See Our Display Ad. This Page
97-68 1/2 Ave. 755-7400

NORTH POINT TRASH REMOVAL
304 S. 14th Street 433-2646
(See Advertisement This Page)
808 Francis 1415 Cherry 355-6159

RAIN CARTING CO INC
VOLUME RUBBISH REMOVAL
USE OUR
COMPACTION CONTAINERS
TO REDUCE VOLUME &
CONSERVE SPACE
886-9555
4714 Broadway 286-9505

REFUSE DISPOSAL INC
DISPOSAL OF COMMERCIAL &
INDUSTRIAL WASTE
P.O. Box 4448 488-4241

ROBERTS TRASH REMOVAL INC
6537 Broadway 440-5771

Listing of This Classification
Rubbish Removal
(See Continued on Next Page)

ROBB TYLER
INC.
"WE NEVER REFUSE REFUSE"
MODERN
COMPACTION CONTAINER
SERVICE
"Action With Compactor"
"NOW SERVING OVER 2,500
COMMERCIAL & INDUSTRIAL TRUCKS"
230 LB CURB BARS CAPACITY
686-6161

F. P. R. **BOHAGER & SONS INC.**
"SINCE 1854"
NATION'S OLDEST WASTE HANDLING FIRM
Now Offers to Industry
"ANCHOR STATIONARY PACKER"
"IT STAYS ON THE JOB"

Complete CONTAINERIZED LINE
515 S. EDEN ST. **276-1221**

LOW COST! CITY & COUNTY
WIDE SERVICE
RESIDENTIAL - COMMERCIAL
Daily - Weekly - Monthly Pick-Up
Stores - Offices - Attics - Cellars
& Yards Cleaned
368-5867
TRASH REMOVAL SERVICE
L & L TRASH
REMOVAL

170 YEARS EXPERIENCE
HERBERT L. ROBERTSON, INC.
TRASH & RUBBISH REMOVAL
INDUSTRIAL - COMMERCIAL
RADIO
DISPATCHED
CONTAINER SERVICE AVAILABLE
675-4800
325 N. NEWKIRK ST.

TRASH REMOVAL SERVICE
PIONEERS IN
STATIONARY PACKERS
REFUSE REMOVED THE
MODERN WAY
MODERN TRASHREMOVAL INC
355-7400
NINTH & GALTIC AVE.

CURTIS REFUSE CO.

CONTAINER SYSTEM
Commercial - Industrial - Residential
355-6159
40 Mo Avenue Call 355-3114
1415 CHERRY
FRANCIS BOHS - Prop.

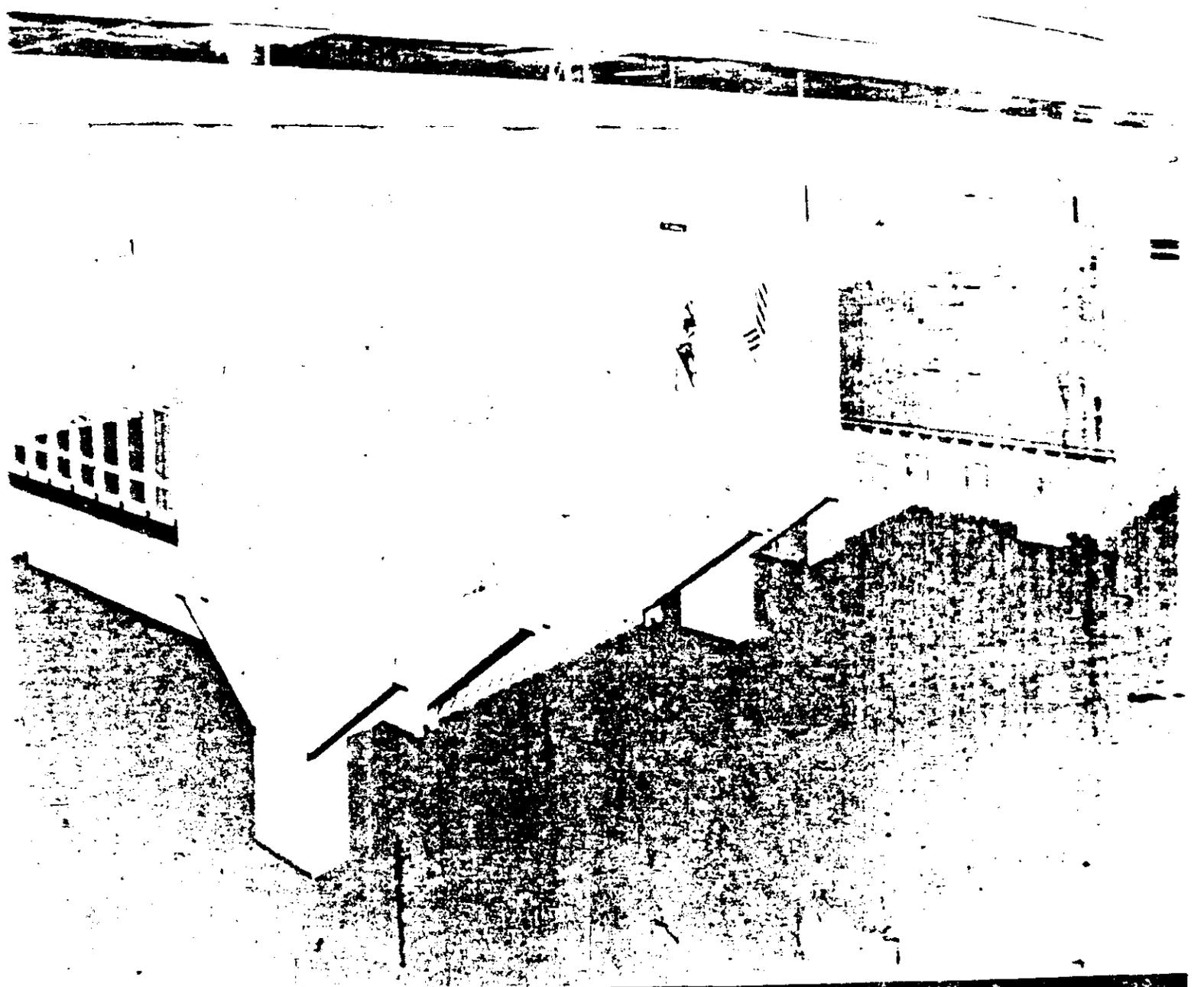
NORTH POINT TRASH REMOVAL
OFFICE BLDGS COMMERCIAL MISCELLANEOUS MAILING
APARTMENTS HOTELS RESTAURANTS
TRASH COLLECTION
CONTRACT - BY THE LOAD
ANYWHERE - ANY TIME
WE PLACE CONTAINERS
IF YOU WANT
CALL
333-2856
3388 3265
808 S. 14TH ST.
FRANKLIN

MARYLAND HISTORICAL SOCIETY - See Story Inside
CIVIC SECTION in Front on Pages 4-18 includes general
points of interest, zip code list and map, places of
sports places and events, expressways map and

MAY 1970



DEPOSITION
EXHIBIT
12
11-4-91
Ry



BALTIMORE CITY YELLOW PAGES
AREA CODE 301

phone

Baltimore City
Area Code 301

May 1971

PENGAD - Bayonne, N. J.
1-4-9
13
242
DEPOSITION
EXHIBIT

Rubbish Removal (Cont'd)

GOODE HAULING CO
CONTRACT OR BY THE LOAD
216 Winter Nights call 752-8678
947-6571

WILL BERNARD
MOVING & LIGHT HAULING
YARDS & CELLARS CLEANED
BY CONTRACT OR JOB
5136 Beaufort Av 367-3840

Hedges Rubbish Service 711 York Rd 825-5843
Wright Trash Removal 2205 W Hamburg St 685-8025
Modern Trashremoval Inc 9th & Baltic Av 355-7400

Listings of This Classification
Rubbish Removal
Are Continued in Next Column

MODERN TRASHREMOVAL INC
SPECIAL CLEANOUTS CONTRACT SERVICE
REFUSE REMOVED THE
MODERN WAY
5000 North Point Blvd, Baltimore
Baltimore 355-7400

NORTH POINT TRASH REMOVAL
306 N North Point Rd 633-2956
(See Ad on p. 37145)
Chesapeake 14150 Hwy 355-6259

REFUSE DISPOSAL INC
DISPOSAL OF COMMERCIAL &
INDUSTRIAL WASTE
P.O. Box 666 685-6262

Refuse Equip. 330 York Rd 752-8678
See Ad on p. 37145

ROBERTS TRASH REMOVAL INC
COMMERCIAL & INDUSTRIAL
Stationary Packers
Container Service
Of All Types
Radio Dispatched Trucks
9637 J. J. Moran Av 646-5772

Listings of This Classification
Rubbish Removal
Are Continued in Next Column

ROBERTSON HERBERT C INC
"From A Can To A Truckload"
TRASH REMOVAL
Sources - Yards - Cellars
Factories - Warehouses - Hospitals
Fire Damage Clean Up
RADIO DISPATCHED - LOW COST
*See The Yellow Pages, Page 744
925 S. Mount Airy 645-4800

RYAN JOHN B JR 363-1062
See Ad on p. 37145

SERIO ANTHONY 2501 Lamer 644-2635
SERIO GED
TRASH REMOVAL
COMMERCIAL & INDUSTRIAL
CONTAINER SERVICE
7210 Montgomery Rd 465-2680

See Ad on p. 37145
Basement - Very Clean - Wrecking - Roofing
8120 E. Forest 327-3585
Tyler Rubbish Inc. P.O. Box 666 685-6262
(See Ad on p. 37145)

TYLER RUBBISH INC
WE NEVER REFUSE REFUSE
See Our Ad This Weeking
P.O. Box 666 685-6262

Rubbish Removal Contractors
Equipment
ARC WELDING SERVICE CO INC
211 North Point Blvd 284-2711
(See Ad on p. 37145)
LEACH PACKMASTER
SPECIALIZED SALES & SERVICE
TRUCK EQUIPMENT
2200 W. Warner Parkway Trailer Inc
Baltimore 685-6262 - New & Used Units
Baltimore 727-1111

NORTH POINT TRASH REMOVAL

- OFFICE BLDGS.
- COMMERCIAL
- MISCELLANEOUS HAULING
- APARTMENTS
- HOTELS
- RESTAURANTS

TRASH COLLECTION
CONTRACT • BY THE LOAD
ANYWHERE - ANY TIME

WE PLACE CONTAINERS
633-2056
306 N NORTH POINT RD
If no answer call 477-8950



JOHN RIDENOUR TRASH REMOVAL

CITY-WIDE
SUBURBAN
COMMERCIAL - RESIDENTIAL
ANYWHERE - ANY TIME
CONTAINERIZED SERVICE
243-2140

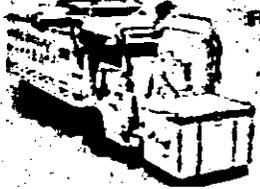
REFUSE EQUIPMENT FOR THE CONTRACTOR - DEVELOPER - INDUSTRY, ETC

ARC WELDING SERVICE CO., INC

SALES
LEASING
REPAIRS

CALL 284-2711 FOR CONSULTATION A CONTAINER OR SYSTEM FOR EVERY NEED 2713 NORTH POINT BLVD

WORTH FACTORY DISTRIBUTOR
TRANSFER STATIONS AVAILABLE





SAVE TIME
Look up the Area Code before placing an out-of-state Long Distance call.

"Turn about is fair play" is an old saying that may be adopted with profit by those who have party-line telephones.

John B. Ryan Jr. TRASH & RUBBISH REMOVAL

HOMES • CELLARS
YARDS & LOTS

FIRE DAMAGE CLEAN-UP
SINGLE JOB OR CONTRACT
If No Answer




Everything is well in hand... with the new Trimline® phone!

Pick up the Trimline phone with one hand... dial with the other. The dial is in the handset!



- Rug Binding Mac
- Rug Carving
- Rug Cleaners
- Rug Cleaning Equip
- Rug Dealers
- Rug Dyers
- Rug Embossing
- Rug Pads
- Rug Renting
- Rug Repairing
- Rug Weavers
- Rugs - Linoleum
- Rugs - Mtrs & Whol
- Rugs - Oriental
- Rulers & Yardsticks
- Rust Proofing
- Saddlery & Harness
- ENGLISH & EVERYTHING
- FRAMER'S SADDLE SHOES
- DELUXE SADDLERY CO
- NATIONALLY KNOWN DIRECT
- English & German Western Saddle Stable Supply

1 MANOR REAL ESTATE COMPANY, : IN THE
 2 a Pennsylvania Corporation, :
 3 and :
 4 PHILADELPHIA, BALTIMORE & : SUPERIOR COURT
 5 WASHINGTON RAILROAD COMPANY, :
 6 a Maryland Corporation : OF
 7 Plaintiffs :
 8 vs. : BALTIMORE CITY
 9 ALBERT LANDAY, :
 10 CELE LANDAY, : File No. 130535
 11 EDWARD AZRAEL, :
 12 HARRIETT AZRAEL and : Docket: 1971
 13 FREDERICK A. SAUER, JR., :
 14 Individually and trading as : Folio: 1291
 15 NORTH POINT TRASH REMOVAL SERVICE :
 16 Defendants :
 17 -----

18 Deposition of FREDERICK A. SAUER, JR., one
 19 of the Defendants, was taken on Wednesday, September 13,
 20 1972, commencing at 10:20 o'clock a.m., at the law offices
 21 of Constable, Alexander & Daneker, 1000 Maryland Trust
 Building, Baltimore, Maryland, 21202, before Lawrence F.
 St. Yves, a Notary Public.

22 Reported by:
 23 Lawrence F. St. Yves

